

# Agenda

## Environmental Protection Commission

April 20, 1998

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

### Public Participation

10:30 A.M.

*Appointment:*

1:00 p.m.

*City of Fairfield (Item 16A) - John Morrissey*

### Agenda topics

1. Approve Agenda
2. Approve Minutes of March 16, 1998
3. Director's Report Larry Wilson (Information)
4. Monthly Financial Status Report Stan Kuhn (Information)
5. Landfill Alternatives Financial Assistance Program  
Composting Initiatives Contracts Roya Stanley (Decision)
6. Monthly Reports Allan Stokes (Information)
7. Presentation on Section 319 Nonpoint Source Pollution  
Control Program Allan Stokes (Decision)
8. Nonpoint Source Project Contract - Development,  
Implementation & Evaluation of an Iowa  
Farm\*A\*Syst/Home\*A\*Syst Program (FAS/HAS) Allan Stokes (Decision)
9. Final Rule--Chapter 92, State Revolving Fund (CWA) Allan Stokes (Decision)
10. State Revolving Fund (Drinking Water) - Intended Use  
Plan 1997-1998 Allan Stokes (Decision)
11. Petition for Rulemaking - Pocahontas County Board of  
Supervisors - Water Quality Standards for Wetlands Allan Stokes (Decision)
12. Notice of Intended Action--Chapter 103, Solid Waste  
Rules Allan Stokes (Decision)
13. Proposed Rule--Chapter 28, Air Quality - Revised  
NAAQS Allan Stokes (Information)

## EPC Agenda - Page 2

- |     |   |                                  |
|-----|---|----------------------------------|
| 14. | Proposed Rule--Chapter 22-23, Air Quality (NESHAPS) Acid Rain Exemptions & Primary Aluminum Reduction Plants  | Allan Stokes (Information)       |
| 15. | Proposed Rule--Chapter 20, 22 and 23, Air Quality Case-by-Case MACT   | Allan Stokes (Information)       |
| 16. | Referrals to the Attorney General<br>a) City of Fairfield<br>b) Tire-Tech Environmental Systems, Inc. (Muscatine)<br>c) Robert Jeff White (Dallas County) | Allan Stokes ( <b>Decision</b> ) |
| 17. | Legislation Update  | Don Paulin (Information)         |
| 18. | General Discussion  |                                  |
| 19. | Address Items for Next Meeting  |                                  |

**Next  
Meeting  
Dates**

March 16, 1998

April 20, 1998

May 18, 1998

# ENVIRONMENTAL PROTECTION COMMISSION

Monday, April 20, 1998

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

Cathy Woollums	Mid American Energy Co.	Davenport
JANE McALLISTER	AHLERS LAW FIRM	DSM
Jan J. Chynoweth	Cedar Rapids Gazette	DSM / Cedar Rapids
Perry Beeman	Dm Register	Dm
DICK DOLASH	Polk County	Dm
Aaron Wurstill	USEPA	Kansas City
WAYNE KANOK	USEPA	K.C.
James A. Klosterbauer	IES Utilities	Cedar Rapids
Kathy Morris	ISOSWO	Davenport
MICHAEL BERKSHIRE	BLUESTEM SWA	CEDAR RAPIDS
Richard Kelley	UHL	DM
DAN VEST	GROWMARK	FLORIAN, TC
JEAN TROBE	IFBF	WDSM
CHRIS GAULT	IDED	DM
Elizabeth Hender	IDED	DSM
DARREN KULA	BARE ENGINEERING	MIND. MN
Julie F. Mahle	Siemens Club	Dm. com

# ENVIRONMENTAL PROTECTION COMMISSION

*Monday, April 20, 1998*

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

Hal Morton	DNR SWC	Burlington
Dawn Goodrich	Des Moines Water Works	Des Moines
Rick Robinson	IA Farm Bureau	DM
John Morrissey	Fairfield City Attorney	Fairfield
Dan Riney	Supt. WWTP City of Fairfield	Fairfield
John F. Brown	City Administrator/Coordinator	Fairfield

RECORD COPY *EPC Meeting*  
File Name *ADM-1-1-1 April 1998*  
Barcode Initials *JA*

**MINUTES**  
**OF THE**  
**ENVIRONMENTAL PROTECTION COMMISSION**  
**MEETING**

**APRIL 20, 1998**

**WALLACE STATE OFFICE BUILDING**  
**DES MOINES, IOWA**

## TABLE OF CONTENTS

Call to Order .....	1
Members Present .....	1
Members Absent.....	1
Adoption of Agenda.....	1
APPROVED AS AMENDED.....	1
Approval of Minutes .....	2
APPROVED AS PRESENTED.....	2
Director's Report.....	2
Financial Status Report - YTD Division Expenditures .....	2
INFORMATIONAL ONLY .....	7
Landfill Alternatives Financial Assistance Program - Composting Initiative Contracts .....	7
APPROVED AS PRESENTED.....	12
Public Participation.....	12
Kathy Woolums (solid waste rules) .....	12
James Klosterbuer (solid waste rules) .....	13
Kathy Morris (solid waste rules).....	13
Monthly Reports .....	13
INFORMATIONAL ONLY .....	29
Presentation on Section 319 Nonpoint Source Pollution Control Program.....	29
INFORMATIONAL ONLY .....	30
Section 319 Nonpoint Source Project Contract - Development, Implementation and Evaluation of an Iowa Farm*A*Syst/Home*A*Syst Program (FAS/HAS) .....	30
APPROVED AS PRESENTED.....	31
Final Rule--Chapter 92, State Revolving Fund (CWA) .....	31
APPROVED AS PRESENTED.....	35
State Revolving Fund - Intended Use Plan, 1997-98 (Drinking Water) .....	35
APPROVED AS PRESENTED.....	36
Petition for Rule Making - Pocahontas County Board of Supervisors - Water Quality Standards for Wetlands.....	36
DEFERRED FOR 60 DAYS .....	36

Notice of Intended Action--Chapter 103, Solid Waste Rules.....	36
APPROVED AS PRESENTED.....	40
Proposed Rule--Chapter 28, Air Quality - Revised NAAQS.....	40
INFORMATIONAL ONLY .....	42
Referrals to the Attorney General.....	42
City of Fairfield.....	43
Appointment - John Morrissey .....	43
Appointment - John Brown .....	45
NOT REFERRED - WILL HANDLE ADMINISTRATIVELY.....	45
Proposed Rule--Chapter 22-23, Air Quality (NESHAPS) Acid Rain Exemptions & Primary Aluminum Reduction Plants.....	45
INFORMATIONAL ONLY .....	50
Proposed Rule--Chapter 20, 22 and 23, Air Quality Case-by-Case MACT .....	50
INFORMATIONAL ONLY .....	54
Referrals to the Attorney General (Continued).....	54
Tire-Tech Environmental Systems, Inc.....	54
REFERRED .....	54
Robert Jeff White.....	54
REFERRED .....	55
Legislation Update.....	55
INFORMATIONAL ONLY .....	55
General Discussion .....	55
Address Items for Next Meeting .....	56
Next Meeting Dates .....	56
Adjournment.....	56

## MEETING MINUTES

### CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairman Ehm at 10:00 a.m. on Monday, April 20, 1998, in the Wallace State Office Building, Des Moines, Iowa.

### MEMBERS PRESENT

William Ehm, Chair  
Rozanne King  
Dean McWilliams  
Charlotte Mohr, Secretary  
Gary Priebe  
Terrance Townsend, Vice-Chair (arrived 10:25 a.m.)  
Rita Venner

### MEMBERS ABSENT

Randal Giannetto  
Kathryn Murphy

Kathryn Murphy phoned to say she has a business conflict, and Randall Giannetto called to say he has a court hearing today.

Terrance Townsend's office called and said he will be late for the meeting.

### ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: Appointment - John Morrissey, City of Fairfield (Item #16a) 1:00 p.m.
- Delay: Item #11 - Petition for Rulemaking by Pocahontas County Board of Supervisors on Water Quality Standards for Wetlands.

Director Wilson noted that the Pocahontas County Board of Supervisors requested a 60 delay on Item #11 and the department has granted that delay. He distributed copies the letter granting the delay.

*Motion was made by Rozanne King to approve the agenda as amended. Seconded by Charlotte Mohr. Motion carried unanimously.*

APPROVED AS AMENDED



**APPROVAL OF MINUTES**

*Motion was made by Dean McWilliams to approve the meeting minutes of March 16, 1998, as presented. Seconded by Rita Venner. Motion carried unanimously.*

**APPROVED AS PRESENTED**

**DIRECTOR'S REPORT**

Larry Wilson, Director, stated that in addition to granting the delay on the petition for rulemaking staff are continuing to work with the drainage district on finding a potential site for mitigation for farmed wetlands. Director Wilson introduced Ken Formanek, the department's photographer, and noted that he will be taking photos of the Commission to be used in presentations for new employee orientation. Director Wilson reported that Teresa Hay's parents were recently involved in an accident and, unfortunately, her father was killed and her mother is currently recovering from injuries. He related that the Hay family were heavy users of Dolliver State Park near their home, and the department will hold a memorial service there this summer and plant some trees in memory of Mr. Hay.

**FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES**

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Attached is the division level expenditure status report as of 3/31/98. At this point, all divisions are under budget with the exception of Parks, Recreation Areas and Preserves. This division's shortfall will be reduced by \$87,851 if the supplemental appropriation bill, which includes funding to cover ranger retirements, passes.

**Monthly Operations Budget Status Report  
3/31/98**

Division Summary	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Director's Office/Info & Ed	2,019,376	2,044,376	1,450,318	1,349,736	100,582
Administrative Services Div.	5,662,615	5,807,615	4,052,298	3,811,229	241,069
Parks, Rec. & Preserves Div.	9,196,141	9,396,141	6,440,923	6,651,303	(210,380)
Forests & Forestry Division	2,869,497	2,851,497	2,033,456	1,941,108	92,348
Energy & Geo. Res. Division	5,067,391	4,569,218	3,176,147	2,558,058	618,089
EPD Division	19,908,815	19,908,815	13,830,141	11,452,946	2,377,195
FW Division	20,761,728	20,761,728	14,879,618	14,655,113	224,505
Waste Mngt Assistance Div.	1,781,227	1,781,227	1,210,727	1,006,462	204,265
	67,266,790	67,120,617	47,073,628	43,425,955	3,647,673

**Director's Office/ Information & Education**

Budget Unit	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Director's Office & Commissions	266,371	306,371	217,691	225,702	(8,011)
Permit Compliance Team	191,045	191,045	139,175	114,342	24,833
REAP Program	14,500	39,500	36,000	38,556	(2,556)
Policy Coordination	95,555	55,555	39,861	25,329	14,532
Total Director's Office	567,471	592,471	432,726	403,929	28,797

**Information & Education Bureau**

I&E General Operations	435,044	435,044	311,150	304,528	6,622
Conservationist Magazine	386,552	386,552	262,264	239,736	22,528
Education Center Programs	192,924	192,924	137,041	123,960	13,081
Aquatic Education	278,537	278,537	194,605	209,659	(15,054)
Fish and Wildlife Information	15,458	15,458	11,134	11,953	(819)
Energy Information	72,674	72,674	51,484	32,953	18,531
Groundwater Education	23,044	23,044	16,599	0	16,599
319 Planning Information	39,672	39,672	28,476	2,266	26,210
Air Quality Title 5 Information	0	0	0	17,769	(17,769)
Education Workshops	8,000	8,000	4,838	82	4,756
Outdoor Learning	0	0	0	2,835	(2,835)
Project Wild Expansion	0	0	0	0	0
Hooked on Fishing	0	0	0	66	(66)
Total I & E Bureau	1,451,905	1,451,905	1,017,592	945,807	71,785
Total Director's Office/Info & Ed.	2,019,376	2,044,376	1,450,318	1,349,736	100,582

**Administrative Services Division**

Budget Unit	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Budgets and Grants Bureau	354,057	354,057	250,540	213,173	37,367
State Central Services & Indirect	266,458	241,458	95,075	95,964	(889)
Accounting Bureau	876,116	876,116	588,078	615,865	(27,787)
Administrative Services Bureau	1,499,918	1,499,918	1,054,009	962,324	91,685
Central Data Processing Bureau	770,991	770,991	559,444	470,881	88,563
Licensing Bureau	325,157	355,157	271,782	274,345	(2,563)
Construction Services Bureau	908,384	1,048,384	756,551	714,343	42,208
CSB-Park Road Design	55,212	55,212	39,769	46,238	(6,469)
Land Acquisition & Mngt Bureau	494,170	494,170	355,969	343,416	12,553
Division Mngt & Misc	112,152	112,152	81,081	74,680	6,401
Special Training & Technology	0	0	0	0	0
Total Administrative Services Div.	5,662,615	5,807,615	4,052,298	3,811,229	241,069

**Parks, Recreation and Preserves Division**

Budget Unit	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Parks Field Management	206,405	218,405	155,389	182,946	(27,557)
NW District Parks Operations	1,944,884	1,991,884	1,359,364	1,450,190	(90,826)
NE District Parks Operations	1,843,567	1,890,567	1,291,461	1,296,530	(5,069)
SE District Parks Operations	2,176,025	2,223,025	1,515,248	1,547,302	(32,054)
SW District Parks Operations	1,963,125	2,010,125	1,372,864	1,470,237	(97,373)
Parks & Preserves Programs & Mngt	672,777	672,777	478,788	464,096	14,692
Endangered Species Grants	11,259	11,259	6,755	6,000	755
Preserves Grants	19,311	19,311	11,587	0	11,587
DED Parks Grants	27,167	27,167	19,493	27,952	(8,459)
Trail Development Grants	44,850	44,850	29,479	25,161	4,318
Cedar Rock	138,098	138,098	93,815	98,225	(4,410)
Division Management & Misc	118,673	118,673	86,399	80,439	5,960
SRF Loan Repayment	30,000	30,000	20,280	2,225	18,055
Total Parks, Rec & Preserves Div.	9,196,141	9,396,141	6,440,923	6,651,303	(210,380)

**Forests & Forestry Division**

Budget Unit	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Forest Nursery Production	560,071	530,071	370,893	356,734	14,159
Forest Nursery Services	96,444	96,444	68,593	64,047	4,546
Shimek Forest	235,266	235,266	169,263	144,861	24,402
Stephens Forest	188,023	190,023	137,424	122,786	14,638
Yellow River Forest	243,229	245,229	177,059	171,874	5,185
Loess Hills Forest	159,082	161,082	115,953	118,095	(2,142)
Nursery & Forests Management	140,954	142,954	101,890	104,499	(2,609)
Farm Forestry Services	797,161	801,161	572,363	546,013	26,350
Trees For Kids Video	0	0	0	2,170	(2,170)
Trees For Kids Project	30,000	30,000	20,280	5,937	14,343
Forestry Services Management	301,841	301,841	214,711	222,186	(7,475)
Division Management	117,426	117,426	85,027	81,906	3,121
Training & Technology	0	0	0	0	0
Total Forests & Forestry Division	2,869,497	2,851,497	2,033,456	1,941,108	92,348

**Energy & Geological Resources Division**

Budget Unit	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Energy Bureau:					
Alternative Fuels	0	0	0	0	0
Biomass	89,807	89,807	63,172	63,101	71
SIFIC A	88,791	88,791	61,916	32,668	29,248
SIFIC B	67,296	67,296	48,370	54,846	(6,476)

SIFIC Innovation Project	101,250	101,250	72,786	67,169	5,617
ICP- Administration	0	0	0	0	0
ICP - Marketing	0	0	0	0	0
ICP - Programming	0	0	0	0	0
State Energy Program	648,766	648,766	467,106	404,413	62,693
Soya Diesel	106,369	46,369	30,200	16,744	13,456
Building Code, Energy	10,000	10,000	6,000	0	6,000
E-85 Promotion	0	0	0	0	0
Heating Oil & Propane Program	18,944	18,944	12,907	10,379	2,528
Energy Advancement	27,119	27,119	19,464	20,409	(945)
Greenhouse Gas	23,402	23,402	14,041	0	14,041
Greenhouse Gas #3	75,000	5,000	3,000	0	3,000
Federal Energy Bank	74,419	74,419	61,304	60,279	1,025
Great Lakes Ethanol Grant	0	0	0	0	0
Energy/Education Study	50,000	50,000	30,000	10,516	19,484
Ethanol Seminar, Council of Gov's.	21,891	21,891	13,675	21,867	(8,192)
Oil Overcharge - 3 Admin.	297,839	297,839	209,524	139,425	70,099
EPA Risk Assessment Project	61,859	61,859	37,637	24,813	12,824
Rebuild Iowa	155,129	155,129	94,932	91,029	3,903
SEP Energy Code	0	0	0	2,335	(2,335)
Federal Energy Mngt Program	50,000	50,000	30,000	26,144	3,856
Commercial Wind Energy	230,000	60,000	40,000	34,317	5,683
Wind Assessment	4,072	4,072	2,722	1,343	1,379
SEP Climate Wise	50,000	50,000	30,000	23,000	7,000
Ethanol Market Research	92,970	92,970	55,782	53,280	2,502
Total Energy Bureau	2,344,923	2,044,923	1,404,539	1,158,077	246,462

## Energy &amp; Geological Resources Division

Bureau Units	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Geology Bureau:					
Camp Dodge GIS Support	24,006	0	0	0	0
Big Springs Modeling	0	0	0	0	0
Camp Dodge Wetland	11,450	11,450	7,441	2,970	4,471
Camp Dodge Mapping	55,967	15,000	11,184	7,857	3,327
Floyd Cty ADW Project	23,272	23,272	15,623	3,066	12,557
Wright Cty ADW Project	6,200	0	0	0	0
Wright Cty Water Quality	27,000	0	0	0	0
Geology/Mineral Resources	371,462	371,462	266,876	267,367	(491)
Digital Mapping	100,403	100,403	69,841	68,151	1,690
Wright Cty Monitoring	27,683	27,683	19,288	347	18,941
Hydrology/Environment	488,206	488,206	351,737	323,527	28,210
State Mapping	22,973	22,973	15,680	18,631	(2,951)
Pesticide Mngt Project	41,464	41,464	29,866	8,146	21,720
Geology Information	238,673	238,673	172,838	163,319	9,519
Big Springs Project	12,269	12,269	8,675	21,891	(13,216)
Geographical Info System	221,247	221,247	160,254	91,929	68,325
319 Planning - 91	42,465	42,465	28,928	13,540	15,388
Wellhead #2	0	0	0	0	0
319 Planning - 93	215,546	115,546	78,394	63,628	14,766
Walnut Creek Restoration	210,490	210,490	132,501	65,801	66,700
Wellhead Protection, EPA	86,811	86,811	61,313	21,703	39,610
USGS Coop. Agreement	156,154	156,154	93,692	76,985	16,707
Geology Bureau Mngt	239,667	239,667	176,420	112,891	63,529
Total Geology Bureau	2,623,408	2,425,235	1,700,552	1,331,749	368,803
Special Technology Initiative	0	0	0	0	0
Energy & Geological Div Mngt	99,060	99,060	71,056	68,232	2,824
Total Energy & Geological Resources Division	5,067,391	4,569,218	3,176,147	2,558,058	618,089

## Environmental Protection Division

Budget Units	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Water Quality Bureau:					
Wastewater (NPDES) Mngt	700,467	700,467	494,518	461,571	32,947
Non-Point Pollution Conference	0	0	0	0	0
Storm Water Permitting	216,986	216,986	155,953	113,669	42,284
Livestock Permits (C. Office)	226,667	226,667	163,186	190,949	(27,763)
Construction Grants Mngt	0	0	0	0	0
State Revolving Grant Mngt	402,537	402,537	290,433	191,494	98,939
GW County Grants Mngt	59,210	59,210	41,466	39,121	2,345
Iowa River Project	0	0	0	0	0
Water Monitoring Workshop	2,900	2,900	1,888	1,812	76
604B Water Planning	162,264	162,264	116,637	125,385	(8,748)
Floodplain Regulation & Mngt	309,073	309,073	222,333	220,471	1,862
319 Water Planning-90	0	0	0	0	0
319 Water Planning-91	55,000	55,000	38,776	25,109	13,667
319 Water Planning-92	80,000	80,000	48,000	54,076	(6,076)
319 Water Planning-93	175,000	175,000	105,000	70,491	34,509
319 Water Planning-94	250,000	250,000	150,000	165,633	(15,633)

# Environmental Protection Commission Minutes

April 1998

319 Water Planning-95	540,064	540,064	356,460	317,098	39,362
319 Water Planning-96	101,201	101,201	60,834	264,473	(203,639)
319 Water Planning-97	50,000	50,000	30,000	63,108	(33,108)
Water Supply Regulation	1,334,817	1,334,817	931,581	598,452	333,129
Water Rights Administration	131,410	131,410	94,056	96,304	(2,248)
Operator Certification Support	98,589	98,589	60,951	27,493	33,458
Well Contractor Permits	42,310	42,310	30,856	23,819	7,037
Animal Study	0	0	0	0	0
Water Supply-93 Flood	50,000	50,000	30,000	12,000	18,000
Wastewater-93 Flood	0	0	0	0	0
Waste Allocation, Watersheds	0	0	0	0	0
Lab Certification	156,500	156,500	94,631	79,959	14,672
Stream Watershed Assessment	30,750	30,750	18,583	24,939	(6,356)
Coliform Study	0	0	0	0	0
Total Water Quality	5,175,745	5,175,745	3,536,144	3,167,426	368,718

## Environmental Protection Division(Continued)

Budget Units	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Air Quality Bureau:					
Air Quality Regulation & Planning	1,868,931	1,868,931	1,298,214	1,186,369	111,845
Title V, Permitting, Enforcement	4,729,996	4,729,996	3,209,144	2,235,185	973,959
Total Air Quality Bureau	6,598,927	6,598,927	4,507,358	3,421,554	1,085,804
Land Quality Bureau:					
Waste Management	634,806	634,806	449,260	395,244	54,016
Solid Waste Authorization	61,983	61,983	44,544	37,867	6,677
GW Professional Registration	60,993	60,993	40,173	15,685	24,488
UST	315,756	315,756	226,558	173,872	52,686
LUST Cleanup	786,139	786,139	562,717	393,136	169,581
Hazardous Waste Sitting	208,428	208,428	143,510	60,604	82,906
Remedial Activity	70,221	70,221	50,338	23,688	26,650
AIDEX Monitoring	6,600	6,600	4,278	0	4,278
Superfund Program Management	174,045	174,045	126,141	126,304	(163)
Multisite, Investigation & Assess.	55,553	55,553	38,813	84,965	(46,152)
General Motors Site Mngt	49,834	49,834	36,428	18,272	18,156
Waste Tire Permitting	1,000	1,000	720	314	406
Emergency Response	210,899	210,899	152,406	135,272	17,134
BrownFields Task Force	25,000	25,000	16,900	609	16,291
BrownFields Development	228,208	228,208	149,003	37,050	111,953
LUST Flood Support	100,000	100,000	60,000	0	60,000
Total Land Quality Bureau	2,989,465	2,989,465	2,101,790	1,502,882	598,908
Legal & Compliance Bureau:					
LUST Cleanup	529,073	529,073	383,621	391,170	(7,549)
Air Quality-Field Const & Mngt	163,792	163,792	117,748	89,056	28,692
Air Quality-Field Title 5	474,201	474,201	341,189	268,922	72,267
Wastewater-Field	1,456,572	1,456,572	1,024,603	958,511	66,092
Water Supply-Field	646,810	646,810	465,952	429,133	36,819
Waste Mngt-Groundwater	709,167	709,167	515,942	443,581	72,361
GW(106), Investigations, Surveys	0	0	0	0	0
Water Supply Technical Asst.	203,347	203,347	150,218	106,728	43,490
Livestock-Field	315,200	315,200	229,718	217,744	11,974
Legal/Compliance Mngt	451,493	451,493	316,900	307,169	9,731
Total Legal & Compliance Bureau:	4,949,655	4,949,655	3,545,890	3,212,014	333,876
EPD Division Mngt & Misc	195,023	195,023	138,959	149,070	(10,111)
Totals, EPD Division	19,908,815	19,908,815	13,830,141	11,452,946	2,377,195

## Fish and Wildlife Division

Budget Units	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Law Enforcement:					
NW Enforcement District	890,300	890,300	639,609	641,478	(1,869)
NW Enf. Boating Safety	24,632	24,632	16,987	20,562	(3,575)
NE Enforcement District	1,115,566	1,115,566	801,352	807,410	(6,058)
NE Enf. Boating Safety	16,500	16,500	12,050	11,771	279
SW Enforcement District	759,342	759,342	545,241	613,900	(68,659)
SW Enf. Boating Safety	36,800	36,800	31,261	22,442	8,819
SE Enforcement District	990,455	1,039,535	760,997	738,352	22,645
SE Enf. Boating Safety	18,500	18,500	12,506	8,423	4,083
NC Enforcement District	811,247	862,167	633,518	655,341	(21,823)
NC Enf. Boating Safety	27,001	27,001	20,000	11,898	8,102
SC Enforcement District	922,892	922,892	663,089	598,636	64,453
SC Enf. Boating Safety	27,370	27,370	20,854	150,336	(129,482)
Hunter Safety	358,749	358,749	251,987	291,024	(39,037)
Boating Safety	358,858	358,858	256,128	173,882	82,246
Snowmobile Safety	66,742	66,742	47,803	48,831	(1,028)

April 1998

# Environmental Protection Commission Minutes

Big Creek Range Maint.	7,000	7,000	4,786	4,170	616
Cons. Law Bureau Mngt	448,401	348,401	250,579	205,059	45,520
Total Law Enforcement	6,880,355	6,880,355	4,968,748	5,003,515	(34,767)

## Fish and Wildlife Division(Continued)

Budget Units	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Fisheries:					
Hatcheries:					
Big Springs Fish Hatchery	224,012	224,012	158,965	153,495	5,470
Decorah Fish Hatchery	259,025	259,025	184,068	179,558	4,510
Fairport Fish Hatchery	161,636	161,636	115,533	111,414	4,119
Manchester Fish Hatchery	259,334	259,334	184,736	181,921	2,815
Rathbun Fish Hatchery	508,707	508,707	365,419	335,003	30,416
Spirit Lake Fish Hatchery	373,893	373,893	267,159	232,810	34,349
Total Hatcheries	1,786,607	1,786,607	1,275,880	1,194,201	81,679
Fisheries Management:					
NW District	624,889	624,889	448,312	428,542	19,770
NE District	646,835	646,835	464,370	462,567	1,803
SW District	500,525	500,525	360,821	356,642	4,179
SE District	547,152	547,152	395,289	379,432	15,857
Total Fisheries Management	2,319,401	2,319,401	1,668,793	1,627,183	41,610
Fisheries Research:					
Mississippi Monitoring	340,224	340,224	243,915	234,005	9,910
Aquatic Education Project	98,576	98,576	70,966	95,614	(24,648)
Milfoil Project	100,454	100,454	67,668	60,138	7,530
Bellevue Fisheries Research	176,243	176,243	126,425	123,751	2,674
Walleye Fingerling Project	0	0	0	0	0
Chariton Fisheries Research	261,182	261,182	189,381	200,093	(10,712)
Cold Springs Fisheries Research	125,568	125,568	90,123	91,060	(937)
Bozeman Project	5,000	5,000	3,000	0	3,000
Manchester Fisheries Research	128,448	128,448	93,195	85,379	7,816
Fish Production Drug Study	20,000	20,000	20,000	20,000	0
Rathbun Fisheries Research	167,375	167,375	118,447	99,981	18,466
Spirit Lake Fisheries Research	138,252	138,252	98,290	99,743	(1,453)
MARIS Study	10,000	10,000	6,760	0	6,760
Total Fisheries Research	1,571,322	1,571,322	1,128,172	1,109,764	18,408
Fisheries Bureau Mngt	522,887	522,887	354,774	346,112	8,662
Total Fisheries Bureau	6,200,217	6,200,217	4,427,619	4,277,260	150,359

## Fish and Wildlife Division(Continued)

Budget Units	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Wildlife Bureau:					
Wildlife Area Maint. & Mngt:					
NW District Operations	1,073,625	1,073,625	770,228	773,554	(3,326)
NE District Operations	981,479	981,479	705,520	701,038	4,482
SW District Operations	1,022,862	1,022,862	733,916	736,303	(2,387)
SE District Operations	1,206,422	1,206,422	865,868	860,973	4,895
Wetlands Project Support	31,872	31,872	22,803	15,102	7,701
Total Wildlife Area Maint. & Mngt	4,316,260	4,316,260	3,098,335	3,086,970	11,365
Corps WMA Areas, Cond. 5:					
Saylorville Cond 5 WMA	35,444	35,444	25,799	35,590	(9,791)
DM River Cond 5 WMA	12,500	12,500	10,170	15,094	(4,924)
Missouri River Cond 5 WMA	4,000	4,000	2,704	0	2,704
Red Rock Cond 5 WMA	161,115	161,115	113,127	79,846	33,281
Coralville Cond 5 WMA	49,344	49,344	35,868	30,074	5,794
Rathbun Cond 5 WMA	28,994	28,994	20,734	28,636	(7,902)
Total Corps WMA Mngt	291,397	291,397	208,401	189,240	19,161
Total WMA Maint. & Mngt	4,607,657	4,607,657	3,306,736	3,276,210	30,526
Wildlife Research:					
Boone Research, State	189,912	189,912	136,687	110,669	26,018
Boone Research, Federal	130,043	130,043	92,469	72,992	19,477
Chariton Research, State	75,943	75,943	55,014	45,604	9,410
Chariton Research, Federal	152,566	152,566	109,273	94,211	15,062
Clear Lake Research, Federal	139,840	139,840	100,189	116,090	(15,901)
Neotropical Migrant	0	0	0	0	0
Clear Lake Research, State	81,749	81,749	59,451	43,035	16,416
Wildlife Diversity Project	249,505	249,505	176,889	164,496	12,393
Harvest Information Program Grant	0	0	0	4,342	(4,342)
Total Wildlife Research	1,019,558	1,019,558	729,971	651,439	78,532
Wildlife Depredation Mngt	172,466	172,466	129,058	79,687	49,371
Wildlife Bureau Mngt & Misc	1,405,378	1,405,378	994,688	1,099,735	(105,047)
Total Wildlife Bureau	7,205,059	7,205,059	5,160,453	5,107,071	53,382
FW Division Mngt & Misc	476,097	476,097	322,799	267,267	55,532
Total FW Division	20,761,728	20,761,728	14,879,618	14,655,113	224,505

## Waste Management Assistance Division

Budget Units	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Buy Recycled Business Alliance	1,500	1,500	1,014	0	1,014
Planning & Grants	225,863	225,863	149,723	129,476	20,247
Landfill Alternatives	159,941	159,941	111,190	87,424	23,766
Composting Workshop	0	0	0	0	0
Waste Mngt Publications	0	0	0	0	0
Waste Tires Program	50,188	50,188	35,768	32,839	2,929
Waste Recycling	252,386	252,386	174,827	176,740	(1,913)
Household Hazardous Waste Adm	345,299	345,299	229,711	145,316	84,395
Waste Reduction Assistance	141,870	141,870	100,611	88,493	12,118
WRAP Team	0	0	0	0	0
Pollution Prevention (WRAP)	294,192	294,192	192,441	144,300	48,141
Waste Reduction Program	30,653	30,653	20,129	10,062	10,067
Solid Waste Reduction Grant	0	0	0	526	(526)
Sustainable Conference	35,000	35,000	21,380	24,000	(2,620)
WMA Division Mngt	244,335	244,335	173,934	167,286	6,648
Waste Mngt Assistance Totals	1,781,227	1,781,227	1,210,727	1,006,462	204,265

Mr. Kuhn reviewed details of the division expenditures.

Discussion took place in regard to the Milfoil Project under the Fish & Wildlife Division and also on Purple Loosestrife.

Charlotte Mohr inquired about the recent publicity on the degradation of water quality at Clear Lake.

Director Wilson noted that some of the early conclusions were that many of the problems were being caused by fertilizer applied to lawns around Clear Lake and the use of septic tanks. He related that approval of Section 319 dollars for research would be one solution, and another would be for the city to take action on restricting the use of chemicals.

Further discussion centered on the use of the state parks, a slight increase in user days, and a survey of park users indicating that 90-95% of them found the quality and cleanliness of parks to be either "good" or "excellent."

<b>INFORMATIONAL ONLY</b>
---------------------------

## **LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM - COMPOSTING INITIATIVE CONTRACTS**

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

On February 2, 1998, the Department received six (6) Composting Initiative applications requesting \$1,653,891 in grant and zero interest loan assistance. Four (4) applications were selected to receive a total of \$878,105 in funding assistance. This funding includes \$368,457 in grant assistance and \$509,648 in loan assistance. Review team recommendations were presented to the State of Iowa Composting Advisory Committee (CAC) and received unanimous support at its regularly scheduled meeting held February 24th. The CAC is composed of the following organizations:

- Association of Business and Industry
- Iowa Society of Solid Waste Operations
- Iowa Department of Agriculture & Land Stewardship
- Iowa State Association of Counties
- Iowa Department of Economic Development
- Iowa State University Extension
- Iowa Department of Natural Resources - Environmental Protection Division
- Iowa Water Pollution Control Association
- Iowa League of Cities
- Practical Farmers of Iowa
- Iowa Recycling Association
- Recycle Iowa Office
- US Environmental Protection Agency Region VII

Applications were reviewed by a four person committee comprised of one representative each from the Iowa Recycling Association and the Department's Environmental Protection Division and two representatives of the Department's Waste Management Assistance Division.

The review committee used the following criteria in evaluating the applications: (1) Summary of Project; (2) Project Timetable; (3) Budget Summary; (4) Project Planning and Experience; (5) Technical and Economic Feasibility and Transferability; (6) Project Compatibility and Support; (7) Project Impact; (8) Marketing Plan; (9) Project Evaluation; and (10) Ability to Repay (loan projects only). An applicant's average score must have met or exceeded 80 points to receive recommendation for funding.

In addition, bonus points were awarded for projects meeting the following criteria:

- Projects involving three (3) or more counties (5 points);
- Projects serving an Iowa population base of 100,000 or more (5 points);
- Projects processing 30,000 tons or more of compostable materials per year or annually processing ten (10) percent of the solid waste currently landfilled in a proposed project's service area. (5 points).

The Composting Initiative is intended to assist Iowa's solid waste planning areas achieve the 50 percent reduction goals, as established by the Waste Reduction and Recycling Act of 1989, by reducing the amount of organic solid waste landfilled in Iowa. The Composting Initiative provides financial assistance to implement composting programs; expand existing composting facility operations and the types of materials accepted for composting; and to develop, improve and expand markets for finished compost.

The following table and project proposal summaries identify the amount and type of funding assistance requested by the applicant, applicant contact, a project description and the amount and type of financial assistance award recommended.

Applications Received by Applicant Type		
	# Received	Request Amount
Public	3	\$456,148
Private For Profit	3	\$1,197,743
Applications Received by Project Type		
Research and Development/Demonstration	2	\$68,456
Combination Grant and Zero Interest Loan	4	\$1,585,435

The following provides a brief description of applications received and indicates if a project is recommended for funding or not.

### RECOMMENDED

ProEarth Environmental			
204 West Elm Street			
West Union, Iowa 52175			
Request:	\$468,890 - Combination	Applicant:	Private For Profit
Award:	\$150,000 - Grant	Contact:	Randy Rovang
	\$318,890 - Loan	Phone:	(319) 422-9213
Project Type:	Combination Grant and Zero Interest Loan		
Project Title:	Regional Composting Facility Construction		
Description:	The applicant is proposing to construct and operate a composting facility to serve nine northeast Iowa counties. Approximately 8,000 to 13,000 tons of material will be composted during the first year of operation. This amount will double in the second year of operation. Initial plans are to accept manure from dairy farms from Fayette County. Other materials required include wood, paper, soiled cardboard, food waste and yard debris accepted throughout northeast Iowa. It is anticipated that hog wastes will also be accepted in the future. Finished compost will initially be marketed to local dairies as animal bedding. Long range plans include expansion into the horticulture market.		
	Financial Assistance is requested for site design and preparation, construction, equipment, operating expense and market development.		

### RECOMMENDED

Creative Composting Concepts			
1811 Park Avenue SE			
Cedar Rapids, Iowa 52403			
Request:	\$56,768 - Grant	Applicant:	Private For Profit
Award:	\$56,768 - Grant	Contact:	Stacie Stoffel-Johnson
		Phone:	(319) 368-6658
Project Type:	Research and Development/Demonstration		
Project Title:	Learnin With Wormin -- Vermicomposting Demonstration		
Description:	The applicant is proposing to conduct an urban vermicomposting project to		



determine the economic and environmental feasibility of vermicomposting as a small business opportunity and demonstrate an on-site waste management alternative for Iowa's institutional and commercial businesses. The applicant is proposing to partner with College Community School District, comprised of 3 elementary schools, a middle school and a high school as the sites on which the demonstration project will take place. Waste from the schools used in the project include: kitchen preparatory food waste, post consumer organic waste from the cafeterias, and paper towels from the school restrooms. A strong education component is built into the project.

Financial assistance is requested for equipment, supplies, project management, product testing, classroom instructional materials.

### RECOMMENDED

Kirkwood Community College			
6301 Kirkwood Boulevard SW			
PO Box 2068			
Cedar Rapids, Iowa 52406		Applicant:	Public
Request:	\$11,688 - Grant	Contact:	Barrie Swinbank
Award:	\$11,688 - Grant	Phone:	(319) 398-5132
Project Type:	Research and Development/Demonstration		
Project Title:	Composting as a Livestock Carcass Management Alternative		
Description:	<p>The applicant is proposing to demonstrate to agricultural science students and farm operators the viability of composting as a livestock carcass management alternative. The demonstration site will be used for disposal of all college livestock carcasses (horses, swine, sheep and cattle) and specimens from anatomy and physiology classes. Finished compost will be spread on college agriculture fields. The applicant will incorporate this aspect of composting into current curriculum and develop informational brochures for dissemination. Tours of the operation will also be provided to farm operators.</p> <p>Financial assistance is requested for building materials and a concrete pad.</p>		

### RECOMMENDED

Bluestem Solid Waste Agency			
PO Box 2068			
Cedar Rapids, Iowa 52406			
Request:	\$340,758 - Grant	Applicant:	Public
Award:	\$150,000 - Grant	Contact:	Mike Berkshire
	\$190,758 - Loan	Phone:	(319) 398-1278
Project Type:	Combination Grant and Loan		
Project Title:	Compost Mixing and Bagging System Improvements		
Description:	The applicant currently manages approximately 100,000 tons of material through the composting facility. The project proposes to automate bagging operations of finished compost to provide faster, more efficient and cost effective output of		

finished compost to expand marketing opportunities. The applicant is also proposing to improve the delivery of finished compost to the bagging operation through the purchase of a shredder-mixer that will: a) provide a steady stream and uniform particle size of finished compost to the bagging system; b) pulverize frozen chunks of finished compost eliminating the need to construct a building for finished product storage prior to bagging; c) provide a clean and uniform particle size which will enhance marketability of the product; and d) allow introduction of value-adding components (i.e. sand) to diversify the product line.

Financial assistance is requested for equipment.

### NOT RECOMMENDED

	<b>Horizon Technology, Inc.</b>		
	631 2nd Street		
	PO Box 159		
	Webster City, Iowa 50595		
Request:	\$672,085 - Combination	Applicant:	Private For Profit
Award:	\$	Contact:	Brice Green
Project Type:	Combination Grant and Loan	Phone:	(515) 832-3441
Project Title:	Windrow Composting Facility Construction		
Description:	The applicant is requesting assistance for the construction and equipping of a source separated composting facility with a capacity of 100,000 tons annually. The facility will be operated on an asphalt surface using an open windrow system. Organic feedstock materials will be accepted from Iowa business and industry. The feedstock will be processed as necessary and blended with yard waste then formed into windrows. Markets being investigated include mine reclamation sites, highway construction projects, specialized farming operations and other typical compost users.		
	Financial assistance is requested for building construction and equipment purchase.		

### NOT RECOMMENDED

	<b>Jackson County Sanitary Disposal Agency</b>		
	201 West Platt Street		
	Maquoketa, Iowa 52060		
		Applicant:	Public
Request:	\$103,702 - Combination	Contact:	Mark Beck
Award:	\$	Phone:	(319) 652-5658
Project Type:	Combination Grant and Zero Interest Loan		
Project Title:	Composting Facility Construction		
Description:	The applicant is proposing to construct a composting facility to serve Jackson County. The facility will initially accept source separated construction and demolition waste and yard waste. Finished compost will be used at the adjacent Andrew Jackson Demonstration Farm as part of a demonstration for use on agricultural ground. Through the proposed project, demonstrations will also be established for compost applied for turf seeding on disturbed sites, with tree and shrub plantings, and with horticultural crops. Tours and field days will be held to		

show landscapers, horticulturists, seeding and sod contractors and the general public that compost applications can enhance the success of plantings due to its beneficial impacts on soil.

Financial assistance is requested for equipment, composting pad construction supplies and wages.

At this time, four (4) contracts are presented to the Commission for approval.

(A copy of the Scope of Work for each project is on file in the department's Records Center)

Ms. Stanley reviewed how projects are scored for award of grants. She presented details of the four contracts recommended for approval.

(Terrance Townsend arrived at this point in the meeting - 10:25 a.m.)

Rozanne King asked about the proposal by ProEarth Environmental to use the composting material for marketing to local dairies as animal bedding, adding that dairies must have everything clean in a milking situation and wondered if it would be clean enough.

Ms. Stanley stated that she is sure it is a reasonable use but will check on it and provide the Commissioners with that information. Further discussion centered on vermicomposting and on the use of animal carcasses in compost.

*Motion was made by Charlotte Mohr to approve the Landfill Alternatives Financial Assistance Program Composting Initiatives Contracts as presented. Seconded by Dean McWilliams. Motion carried unanimously.*

APPROVED AS PRESENTED

## **PUBLIC PARTICIPATION**

### **Kathy Woolums (solid waste rules)**

Kathy Woolums, Mid American Energy Environmental Services Vice-President, spoke in regard to Chapter 103, Solid Waste Rules pertaining to coal combustion residue. The rules would give an alternative to the current method of applying for a sanitary landfill permit for coal combustion residue. She covered uses for the residue ash as well as how they currently dispose of the portion they cannot market. Ms. Woolums related that she believes the proposed rules meet the objective of protecting human health in the environment as well as groundwater protection. She noted that she thinks it is appropriate for the rules to go out to Notice for comment.

**James Klosterbuer (solid waste rules)**

James Klosterbuer, Environmental Consultant for IES Utilities of Cedar Rapids, told of IES upcoming merge with Interstate Power Companies and noted that he is speaking on behalf of both companies. He echoed Kathy Woolums comments on the solid waste rules noting that there is a change in the rules that will provide separate requirements for the coal combustion residue, but will still recognize that the waste has unique properties and will still protect the environment. Mr. Klosterbuer related that IES recycles as much ash as possible but there is still a need for landfilling at the very old units and monitoring will continue at these sites. He stated that there are some administrative costs for DNR to administer permits and he would envision that to be done through a fee of some kind rather than a tipping fee.

**Kathy Morris (solid waste rules)**

Kathy Morris, ISOSWO, thanked the Commission and the DNR staff for the opportunity to participate in the rulemaking process for the solid waste rules. She related that ISOSWO supports the general concept of the reduced standards and will not be submitting comments on the rules. She thanked the Commission for terminating the previous rulemaking at the March meeting as ISOSWO had some concerns. She noted that ISOSWO considers the opportunity to participate as a very important function of what ISOSWO does and will be happy to do anything to assist in those matters.

**MONTHLY REPORTS**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

**RULEMAKING STATUS REPORT**  
**April 1, 1998**

Proposal	Notice to Comm.	Notice Publish	Rules Review Comm	Hearing	Final Summary to Comm	Rules Adopted	Rules Publish	Rules Review Comm.	Rule Effective
1. Ch. 20,22,23,24,25,28, 29 and 31 - Air Quality Rules	12/15/97	1/14/98	2/3/98	2/13/98	3/16/98	3/16/98	4/08/98	*5/4/98	*5/13/98
2. Ch. 20, 22 and 23 - AQ Case-by-Case MACT	*5/18/98	*6/17/98	*7/6/98	*7/ /98	*8/17/98	*8/17/98	*9/9/98	*10/5/98	*10/14/98
3. Ch. 22 - Air Quality Permits	2/16/98	3/11/98	4/13/98	4/10/98	*5/18/98	*5/18/98	*6/17/98	*7/06/98	*7/22/98

4. Ch. 22 and 23 - NESHAPS Acid Rain Exemptions and Primary Aluminum Reduction Plants	*5/18/98	*6/17/98	*7/6/98	*7/ /98	*8/17/98	*8/17/98	*9/9/98	*10/5/98	*10/14/98
5. Ch. 22, 23, and 25, Hospital, Medical and Infectious Waste Incinerators, and Municipal Waste Combustors	3/16/98	4/08/98	*5/04/98	*5/25/98	*6/15/98	*6/15/98	*7/15/98	*8/10/98	*8/19/98
6. Ch. 28 - Revised NAAQS	*5/18/98	*6/17/98	*7/6/98	*7/ /98	*8/17/98	*8/17/98	*9/9/98	*10/5/98	*10/14/98
7. Ch. 49, 64 and 69 - Nonpublic Water Well Construction and Private Sewer System Construction Standards	10/20/97	11/19/97	12/08/97	12/9-11, 15 and 17/97	3/16/98	3/16/98	4/08/98	*5/04/98	*5/13/98
8. Ch. 50, 51, and 52 - Agricultural Drainage Wells	8/18/97	9/10/97	10/07/97	10/7,8,10 /97	12/15/97	12/15/97	1/14/98	2/03/98	Session Delay
9. Ch. 92 - State Revolving Fund	1/20/98	2/11/98	3/09/98	3/03/98	4/20/98	*4/20/98	*5/20/98	*6/09/98	*6/24/98
10. Ch. 102 and 103 - Solid Waste - TERMINATION OF NOTICE - 3/16/98	12/15/97	1/14/98	2/03/98	2/04/98	3/16/98	3/16/98	4/08/98	*5/04/98	*5/13/98
11. Ch. 103 - Solid Waste Rules	4/20/98	*5/20/98	*6/8/98	*6/ /98	*7/13/98	*7/13/98	*8/12/98	*9/7/98	*9/16/98

**VARIANCE REPORT**  
**Monthly Variance Report - March 1998**

No.	Facility	Program	Subject	Decision	Date
1	Cargill, Inc. - Sioux City	Air Quality	Permit Requirements	Denied	03/02/98
2	Farmers Elevator Company - Collins	Air Quality	Structures	Denied	03/02/98
3	John Deere Works - Waterloo	Air Quality	Permit Requirements	Denied	03/02/98
4	Marley Pump Company - Davenport	Air Quality	Trade Waste	Approved	03/02/98
5	Floyd River Bridge - Floyd County	Flood Plain	Freeboard	Approved	03/24/98
6	Q Pond - City of Osceola	Flood Plain	Storm/Storage Capacity	Approved	03/12/98
7	Willow Creek Pedestrian Bridge - City of LeMars	Flood Plain	Freeboard	Approved	03/12/98
8	Page County Sanitary Landfill	Solid Waste	Groundwater Monitoring	Approved	03/19/98
9	Panama, City of	Watersupply	Construction Materials	Approved	03/31/98

**Monthly Spill Report - March 1998**

March 1 - March 28, 1998, 48 reports of hazardous conditions were received. A general summary and count by field office is presented below.

Month	Total	Petro. Product	Ag. Chem.	Other Chem.	Handling Storage	Pipe line	Hwy.	RR	Fire	Other
Oct.	70(52)	37(28)	17(10)	16(14)	28(31)	6(0)	28(13)	5(4)	0(0)	3(4)
Nov.	44(33)	25(18)	9(9)	10(6)	15(16)	3(0)	23(12)	2(2)	0(0)	1(3)
Dec.	52(33)	27(20)	19(3)	6(10)	21(16)	4(1)	22(12)	4(0)	0(1)	1(3)
Jan.	42(39)	32(28)	3(4)	7(7)	19(20)	2(1)	16(15)	1(2)	1(0)	3(1)
Feb.	48(54)	28(29)	5(7)	15(18)	24(29)	3(2)	13(20)	2(1)	1(2)	5(0)
Mar.	48(53)	27(37)	11(9)	10(7)	26(29)	0(0)	17(16)	2(4)	0(0)	3(4)

(numbers in parentheses for the same period in fiscal year '97)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
4	9	4	8	14	9

**ENFORCEMENT REPORT UPDATE**

April 1, 1998

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Cooperative Oil Co.; Cenex Supply & Marketing, Inc.; Jim Kiewiet; Sue Vaske, Bancroft (2)	Hazardous Condition; Wastewater	Remedial Action; Prohibited Discharge	Order	3/5/98
Pictured Rocks Methodist Camp, Monticello (1)	Drinking Water	MCL - Bacteria; Public Notice	Order/Penalty \$700	3/5/98
First National Bank of Muscatine, Muscatine (6)	Wastewater	Prohibited Discharge; General Criteria	Order/Penalty \$1,000	3/10/98
Farmers Hybrid Companies, Inc., Poweshiek Co. (1)	Animal Feeding Operation	Prohibited Discharge	Referred to AG	3/16/98
Wunschel Oil; Vernus Wunschel; Jaquelyn Wunschel, Battle Creek (3)	Underground Tank	Site Assessment	Referred to AG	3/30/98
Wiese Corporation, Perry (5)	Air Quality	Construction Permit	Without Order/Penalty \$5,000	3/30/98
Ken Krause Motors, Inc.; Ken Krause, Emmetsburg (3)	Underground Tank	Site Assessment	Order	3/30/98

Koch Refining Company, L.P., Bettendorf (6)	Air Quality	Emission Limits	Consent Order	3/30/98
North Liberty, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Order/Stipulated Penalties	3/30/98
Charlie's Supper Club, Algona (2)	Drinking Water	Permit Renewal Fees	Order/Penalty \$100	3/30/98

### SUMMARY OF ADMINISTRATIVE PENALTIES

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	12-06-94
Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95
Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000	7-05-95
David A. Dohlman d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Norman Klynsmas d/b/a OK One Stop Service (Hospers)	UT	2,000	9-01-95
Searsboro, City of	WW	2,500	11-08-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Cheryl Straughn d/b/a Cher's Mini Mart (Chapin)	UT	600	2-21-96
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)	AQ	2,000	3-11-96
David Kramer (Camanche)	UT	600	5-03-96
Latimer, City of	WS	150	5-03-96
Ainsworth, City of	WS	150	5-03-96
McClelland Bar & Grill (Council Bluffs)	WS	100	5-06-96
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
*Orrie's Supper Club, Inc. (Hudson)	WS	650	7-15-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Dennis L. Mattison (Winnebago Co.)	AQ/SW	600	9-03-96
Howard Victor and Wanda Victor (Des Moines)	UT	10,000	10-21-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Gassman's MHP & Spruce Harbor Inn (Dubuque)	WS	4,500	12-26-96
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc. (Burlington)	AQ/SW	1,000	1-03-97

*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
J.F.V. Corporation; Frank Hawk; Sharon Hawk (Prole)	UT	600	2-19-97
Hofer's Danceland Ballroom (Walford)	WS	3,188	4-19-97
Ronald Slocum; Tammy Lynn Determan (Marshall Co.)	SW	10,000	5-24-97
*Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	9,530	6-05-97
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Fibred-Iowa, Inc. (Iowa Falls)	AQ	2,000	7-29-97
Roy E. Hawkins (Newton)	SW	1,000	10-22-97
South Park Mobile Home Park (Iowa Falls)	WW	1,000	1-04-98
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000	2-16-98
Russell Barkema d/b/a Barkema Construction (Wright Co.)	AQ/SW	1,000	3-31-98
# Harold Unternahrer (Washington Co.)	AFO	3,000	4-06-98
# Tom's Livestock Service (Mechanicsville)	AFO/HC	3,000	4-13-98
*#John Adam (Keokuk Co.)	WW	2,500	4-15-98
Webb, City of	WS	2,000	4-27-98
First National Bank of Muscatine (Muscatine)	WW	1,000	5-15-98
# Chuck and Gayle VanVeldhuizen (Sioux Co.) CONSENT	AFO	500	-----
Larry Cope, Susan E. Cope, Bill VanPelt (Carlisle)	WW	1,500	5-05-98
Deer Ridge Estates (Ottumwa)	WS	100	-----
Pictured Rocks Methodist Camp (Monticello)	WS	700	-----
Wiese Corporation (Perry)	AQ	5,000	6-01-98
Charlie's Supper Club (Algona)	WS	100	-----
Ben Haven Mobile Home Park	WS	5,500	-----
Hartley, City of	WW	1,000	-----
<b>TOTAL</b>		<b>143,163</b>	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Brian McKernan d/b/a Hickory Grove MHP (Story Co.)	WW	1,000	4-15-96
Long Branch Tavern (Monmouth)	WS	100	5-01-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Long Branch Tavern (Monmouth)	WS	200	3-18-97
*R. V. Hopkins, Inc. (Davenport)	AQ	10,000	11-15-95
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800	
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	350	7-02-94
Carpenter Bar & Grill (Carpenter)	WS	725	9-27-96
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
<b>TOTAL</b>		<b>59,254</b>	



The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Frank Hulshizer (Benton Co.)	SW	500
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Donald Udell (Plymouth Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel (Shell Rock)	AQ	3,000
Coastal Mart, Inc.-Store #1081 (Davenport)	UT	5,320
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000
Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Tom Wiseman (Sheffield)	UT	3,500
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc. aka Algona Roofing & Insulation, Inc. (Algona)	AQ	5,000
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Sale-R-Villa Const., Inc. (Perry)	AQ	10,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals (Lee Co.)	HC/WW	10,000
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Pilot Oil Corporation (Walcott)	WW/UT	5,000
Leonard C. Page (Adams Co.)	SW	3,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000

Holiday Mobile Lodge, Inc. (Johnson Co.)	AQ/SW	2,000
Shell Rock Products, Inc. (Butler Co.)	AQ/SW	10,000
E.L. Incorporated (Algona)	SW	5,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Tri-County Bank & Trust (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
Roy Burger (Gillette Grove)	UT	5,400
Spencer Municipal Hospital (Spencer)	AQ	3,000
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	4,800
Hidden Valley Mobile Home Park (Washington)	WW	2,000
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000
Russell Stagg (Muscatine Co.)	AQ/SW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Dallas County Care Facility (Adel)	WW	2,500
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250
Vermeer Manufacturing Co. (Pella)	AQ	10,000
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Haasco, Ltd. (Dubuque)	AQ	3,000
Site Services, Ltd. (Waterloo)	AQ	5,000
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Ron Rupe (Polk Co.)	SW	2,000
Richard L. Magdefrau (Washington Co.)	AQ/SW	2,000
Lamoni, City of	WW	1,000
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
Dakota Mobile Home Park (Oxford)	WW	2,550
Waste Mgmt. & Design; Monfort, Inc. (Des Moines)	SW/WW	10,000
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Richard Sprague (Tripoli)	AQ/SW	5,000
Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	4,000
Marvin Low d/b/a Low's DX (Toledo)	UT	10,000
Carroll, City of	WS	3,000
Todd L. Salow (Washington)	AQ/SW	5,000
Camp Golden Valley (Lockridge)	WW	5,700
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt (Des Moines Co.)	AQ/SW	1,000
Bellevue Golf Club, Inc. (Bellevue)	WS	300
Cliff's Place, Inc. (Waverly)	WS	1,500
Craig Burgin (Indianola)	UT	600
Wayne Johnson (Rockford)	AQ/SW	1,000
Sylvan Acres (Janesville)	WS	1,000
Paul Behounek; Todd Behounek (Tama Co.)	AQ/SW	7,100
Delaware County Landfill, Inc.	SW	5,000
Brittany Estates Addition (Manchester)	WS	4,000
Kruger Seed Co. (Dike)	AQ	3,000
Al DeCarlo Demolition Co. (Des Moines)	AQ	5,000
Ritchie Industries, Inc. (Conrad)	AQ	3,000
Bob Luke d/b/a D & R Tree Service (Washington)	AQ/SW	1,000

Country Pumpkin (Deloit)	WS	500
Robert Frees; Elizabeth Mathes (Washington Co.)	SW	1,000
Tire-Tech Environmental Systems, Inc. (Muscatine)	SW/WW	2,500
Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Comm.	SW	10,000
Advanced Technologies Corp. (Waterloo)	AQ	7,500
Biovance Technologies, Inc. (Oskaloosa)	AQ	4,000
Stellar Industries, Inc. (Garner)	AQ	3,000
Joyce Wagner; Bruce Manthe d/b/a Wagner Truck Wash (Merrill)	WW	5,000
Iowa Mold Tooling Co., Inc. (Garner)	AQ	5,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	5,000
Walnut Grove Water Company (Davenport)	WS	2,500
Big Ten Mart/Truck Stop (Lowden)	WS	2,500
North Central Cooperative (Clarion)	WW/HC	2,000
# Iowa Select Farms, L.P. (Hardin Co.)	WW	1,500
Troy Elevator, Inc. (Troy)	WW/HC	4,000
Iowa Realty Co., Inc.; Easter Lake Estates (Polk Co.)	WW	6,000
# Alan Rasmussen (Webster Co.)	WW	500
Milton, City of	SW/AQ	1,000
# Ronald Juergens (Carroll Co.)	WW	3,000
# Leroy Wulf (Des Moines Co.)	WW	2,500
# Austin J. DeCoster (Nursery 8) (Wright Co.)	WW	1,000
# Iowa Select Farms, L.P. (Sow 8) (Wright Co.)	WW/HC	3,000
Sac City, City of	WW	4,000
Rockwell City, City of	WW	10,000
James Mills (Webb)	AQ/SW	3,000
Webb, City of	AQ/SW	3,000
Ira and Debby Cooley; Karen Sauer (Keokuk Co.)	AQ/SW	1,000
# Irvin Leichty (Henry Co.)	WW	3,000
# Robert Butler (Laurens)	AFO	3,000
# Jacob Yoder (Johnson Co.)	AFO	3,000
Ed Engelbrecht d/b/a E & E Auto Salvage (Lee Co.)	AQ/SW	1,000
Enviro Safe Air, Inc. (Creston)	AQ	10,000
Pathway Christian School (Kalona)	WS	500
<b>TOTAL</b>		<b>476,045</b>

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Gold-Eagle Cooperative (Eagle Grove)	HC	1,000
*#John Adam (Keokuk Co.)	WW	2,500
Tom Ashland (Clear Lake)	UT	1,700
Sandra Gebhardt (Clayton Co.)	FP	500
Emergy Gingerich d/b/a Gingerich Well & Pump Service, Kalona	WW	400
<b>TOTAL</b>		<b>6,100</b>

The following penalties were rescinded during the month of March:

Charles Kerr (Sloan)	UT	600
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
U.S. Dept. of Defense (Sioux City)	UT	5,720

Richard Beckett (Villisca)	UT	1,300
Edward Bodensteiner (Des Moines)	UT	3,200
Winsor Oil Co., Inc.; Joyce Winsor (Vinton)	UT	1,500
<b>TOTAL</b>		<b>12,620</b>

**ATTORNEY GENERAL REFERRALS**

April 1, 1998

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Advanced Technologies Corp. Iowa City (6)	Air Quality	Asbestos	Referred to Attorney General	Referred	6/20/97
Ballard, Randy Fayette Co. (1)	Flood Plain	Construction Without Permit	Order/Penalty	Referred	5/29/96
Buringrud, Mark d/b/a Carpenter Bar and Grill Carpenter (2)	Drinking Water	Monitoring/Reporting-Bacteria, Nitrate	Order/Penalty	Referred	11/17/97
DeCoster, A.J. Wright Co. (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Hearing on Pre-Trial Motion Order Denying Defendant's Motion Order Granting State's Motion State's Motion to Compel Hearing Order Granting State's Motion Trial Closing Arguments Ruling (\$59,000/Civil) Defendant's Notice of Appeal Defendant's Brief Filed Defendant's Amended Brief Filed State's Brief Filed State's Amended Brief Filed Defendant's Reply Brief Filed	7/17/95 1/23/96 10/28/96 11/06/96 11/21/96 1/28/97- 2/06/97 2/11/97 2/21/97 3/05/97 3/28/97 9/05/97 4/04/97 9/05/97 9/24/97 1/12/98 1/22/98 2/19/98
DeCoster, A.J. Nursery Unit #3 Wright Co. (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Sow Unit #1 (See Below)	8/19/96 11/25/96 4/28/97
DeCoster, Austin J. Sow Unit #1 (2)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed State's Motion to Change Venue State's Motion to Consolidate Order Granting Motions Amended & Substituted Petition Filed Defendant's Motion for Partial Summary Judgment	1/22/97 4/24/97 4/28/97 4/28/97 4/28/97 5/19/97 7/14/97

				State's Motion for Partial Summary Judgment	8/04/97
				Hearing on Defendant's Motion for Partial Summary Judgment	8/11/97
				Hearing on State's Motion for Partial Summary Judgment	8/25/97
				Ruling Denying Defendant's Motion for Partial Summary Judgment	9/02/97
				Ruling Granting State's Motion for Partial Summary Judgment	9/04/97
				Trial	9/16-18/97
				Ruling for State	1/15/98
				Defendant's Notice of Appeal	2/13/98
<hr/>					
DeCoster, Austin J. Sow Unit #11; Nursery Unit #7 Wright Co. (2) <b>UPDATED</b>	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Nursery Unit #4 (See Below)	6/20/97 3/20/98
<hr/>					
DeCoster, Austin J. Nursery Unit #4 Wright Co. (2) <b>UPDATED</b>	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	8/18/97 3/20/98
<hr/>					
DeCoster, Austin J. Sow Unit #3 Hamilton Co. (2)	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred	12/15/97
<hr/>					
Economy Solar Corp. Ft. Madison (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date Ruling (\$1,600/Civil & Injunction) Notice of Appeal Voluntary Dismissal	3/21/94 8/29/94 11/06/95 11/30/95 1/03/96 4/11/96
<hr/>					
Economy Solar Corp./Central Community School DeWitt (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date	7/17/95 1/03/97 3/23/98
<hr/>					
ESCORP/Cryotech Ft. Madison (1) <b>UPDATED</b>	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date Consent Decree (\$10,000/Civil)	7/17/95 4/11/97 3/02/98 3/12/98
<hr/>					
Farmers Hybrid Companies, Inc. Poweshiek Co. (1) <b>NEW</b>	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred	3/16/98
<hr/>					
Grell, Don d/b/a Dodger Enterprises Ft. Dodge (2)	Air Quality	Open Burning	Order/Penalty	Referred	1/20/98
<hr/>					

## Environmental Protection Commission Minutes

April 1998

Hahn, Oscar Solon (6)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	12/18/95 4/18/96 11/01/96
Hidden Valley Mobile Home Court Washington Co. (6)	Drinkin g Water	Monitoring/ Reporting - Lead and Copper	Order/Penalty	Referred	1/20/98
Home Asbestos & Lead Abatement Services; Robert G. Condon West Des Moines (5)	Air Quality	Asbestos	Order/Penalty	Referred	10/20/97
Huyser, James; Trucking Lovilia (5)	Underg round Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed Dismissed for Lack of Service Bankruptcy Petition Filed	11/21/94 4/18/96 9/20/96 9/20/96
Larson, Daryl Clinton Co. (6)	Wastew ater	Prohibited Discharge	Referred to Attorney General	Referred	10/20/97
Martinez, Vincent d/b/a Martinez Service Davenport (6)	Sewer Hazard ous Condi tion	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
McKernan, Brian Hickory Grove Home Park Roland (5)	d/b/a Mobile Wastew ater	Discharge Monitoring Reporting	Limits; & Order/Penalty	Referred	1/22/97
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred	12/15/97
Orrie's Supper Club, Inc. Hudson (1)	Drinkin g Water	Monitoring/ Reporting; Lead & Copper	Order/Penalty	Referred	10/16/95
Owens & Owens Realty, Inc. Wilton (6)	Under- ground Tank	DNR Defendant	Defense	Petition Filed Answer Filed	3/29/96 4/19/96
Papetti's of Iowa Food Products, Inc. Taylor Co. (4)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred	1/22/97

April 1998

Environmental Protection Commission Minutes

Postville Pork Postville (1)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Trial Date	5/20/96 7/09/97 11/4/98
Reed, Verna and Don; Andrea Silsby Union Co. (4)	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	6/20/94 8/10/94 12/12/94
Relative, Inc.; Doug Smuck Des Moines (5)	Under- ground Tank	Insurance Violation	Order/Penalty	Referred Petition Filed Order Granting Default Judgment	10/17/94 5/12/95 11/26/96
R.V. Hopkins Davenport (6)	Air Quality	Emission Violations	Order/Penalty	Referred	5/21/97
Schoenberr, R.B. d/b/a Long Branch Tavern Monmouth (1)	Drinkin g Water	Permit Renewal	Orders/ Penalties	Referred	6/20/97
Stickle Farms, Inc. Linn Co. (1)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred	4/21/97
Tracy, Ronald d/b/a TRACE, Inc. Howard Co. (1)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Criminal Complaint Filed	11/17/97 11/26/97
Underwood, Paul d/b/a Underwood Excavating and Demolition Cedar Rapids (1)	Air Quality	Asbestos	Order/Penalty	Referred Motion for Judgment	5/15/95 8/15/96
Williams, Dean d/b/a Williams Oil Co. Stuart (4)	Under- ground Tank	Site Assessment	Order/Penalty	Referred	10/20/97
Wunschel Oil Co.; Vernus Wunschel and Jaquelyn Wunschel Battle Creek (3) NEW	Under- ground Tank	Site Assessment	Referred to Attorney General	Referred	3/30/98

**CONTESTED CASES**  
April 1, 1998

Date Received	Name of Case	Action Appealed	Program	Assigned To	Status
1-23-86	Oelwein Soil Service	Admin. Order	WW	Murphy	Hearing continued; additional testing being done.
6-08-89	Shaver Road Investments	Site Registry	HW	Kennedy	New draft consent order issued to company for approval.

# Environmental Protection Commission Minutes

April 1998

6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Kennedy	New draft consent order issued to company for approval.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96.
5-08-90	Texaco Inc./Chempex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Kennedy	Permit issued. District court suit dismissed. Field Office overseeing compliance. Progress reports received.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD regarding status 3/97.
7-02-90	Keokuk Savings Bank and Trust; Keokuk Coal Gas Site	Site Registry	HW	-----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	-----	Decision appealed (Pixler).
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring site.
12-27-90	McAtee Tire Service, Inc.	Admin. Order	SW	Kennedy	Amended order issued 1/11/96.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin. Order/Penalty	SW	Kennedy	Hearing continued. Clean-up continuing slowly due to illness.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement proposed.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Kennedy	DNR engineers reviewing documents.
1-17-92	Hickory Hollow Water Co.	Admin. Order/Penalty	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response on 8/3/93. Facility response 8/11/93. 12/93 Dept. letter to attorney.
1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Admin. Order/Penalty	HC	Wornson	Settlement letter sent 8/31/94. SCR completed. Finalizing remediation plan with coal tar site.
5-05-92	Plymouth Cooperative Oil Co.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
6-23-92	Chickasaw County Board of Supervisors, Chickasaw County Sanitary Landfill	Admin. Order/Penalty	SW	Kennedy	County to include closing in FY 1997 budget. Meeting held 8/7/97. Scheduling closure work.
9-21-92	ITWC	Admin. Order/Penalty	AQ	Preziosi	Settlement close. Negotiating penalty.
9-22-92	King's Terrace MHP	Admin. Order/Penalty	WW	Hansen	8/94-Letter to facility regarding resolution of appeal. Follow-up letter 3/96.
11-16-92	Frank Hulshizer	Admin. Order/Penalty	SW	Kennedy	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made 5/03/93 response from company. Company collecting data. Company response submitted.
4-05-93	Mapleton, City of	WW Operator Certification	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin. Order/Penalty	WW	Hansen	Construction permit issued. Schedule submitted by City for remaining construction found unacceptable. Request for acceptable.
4-21-93	Donald Udell	Admin. Order/Penalty	SW	Kennedy	Clean-up completed. Penalty settlement due.
6-21-93	Jacobs Energy Corp., Inc.	Permit Denial	AQ	Preziosi	Hearing continued. Meeting held. Settlement close. Waiting on results from A/G opinion.
7-06-93	Dennis E. Good	Admin. Order	UT	Wornson	Tier 1 complete. Tier 2 initiated.
7-28-93	Berniece K. Nease	Admin. Order	UT	Wornson	Tier 1 complete. Tier 2 initiated.
7-09-93	Oakwood Park Water, Inc.	Admin. Order/Penalty	WS	Hansen	Construction permit issued 2/94. Facility to be installed by 11/30/94. Letter to attorney regarding appeal resolution. Response.
7-20-93	Valley Restaurant/Sierp Oil; Mary & Carl Sierp; and Robert Radford	Admin. Order	UT	Wornson	Tier 2 initiated.
11-16-93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	8/12/97 - Appeal being reviewed in context of Title V application.
12-23-93	Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel	Admin. Order/Penalty	AQ	Preziosi	Negotiating penalty. Settlement close.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2-28-94	Coastal Mart - Davenport	Admin. Order/Penalty	UT	Wornson	Deficient SCR. Letter sent. Penalty on appeal.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested by 4/30/96. 5/96 - Follow-up letter sent. Response requested by.
5-10-94	Dennis Malone; Joanne Malone	Admin. Order/Penalty	UT	Wornson	Untimely appeal. Compliance 3/97. Negotiating penalty.
5-27-94	Joseph L. Ranker; Daryl Hollingsworth	Admin. Order/Penalty	UT	Wornson	Tanks closed. Property sold. Buyer is Fund eligible and may do assessments.
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to appeal - 4/96.
7-12-94	Tom Wiseman	Admin. Order/Penalty	UT	Wornson	Appeal untimely. Follow-up letter sent. Fund eligible. Tier 1 initiated.
8-12-94	Karl and Thelma Boylan d/b/a Boylan's Service	Admin. Order/Penalty	UT	Wornson	Inability to pay. Failed to return required documentation. Letter sent 2/27/97.
8-29-94	B and B Tire and Oil	Admin. Order/Penalty	UT	Wornson	SCR accepted. Letter sent offering penalty negotiations 8/26/96. Free product report received 10/2/96.
9-01-94	Elmer R. Faust d/b/a Faust Garage & Grocery	Admin. Order/Penalty	UT	Wornson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin. Order/Penalty	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin. Order/Penalty	AQ	Preziosi	3/1/96 - Amended order to be issued.
9-09-94	American Coals Corp., Site 5 (Bussey)	Admin. Order/Penalty	SW/AQ	Kennedy	Bankruptcy filed. Phone conversation regarding closure 8/21/97. Working on consent order. Parties continuing negotiations.
9-15-94	Bankston	Admin. Order/Penalty	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to City regarding settlement.
9-16-94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida Grove)	Admin. Order/Penalty	UT	Wornson	Consent order SCR received. Revisions to SCR required - overdue. Follow-up letter sent 2/26/96. UST Fund conducting further assessment and free product removal.
9-26-94	James D. Foust	Admin. Order/Penalty	SW	Kennedy	Hearing continued by ALJ because of bankruptcy.
10-07-94	Titan Wheel International	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding report.
10-19-94	Ronald Sizemore; Mark Murphy	Admin. Order/Penalty	UT	Wornson	Inability to pay documented. County took tax deed. Contact regarding UST fund.



11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin. Order/Penalty	UT	Womson	Inability to pay - requested documentation -- no response.
12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept. 4/95 - Dept. letter to City regarding settlement. 5/95 construction approved by Settlement offer made. FO rejected offer. Phone conversation regarding counter offer.
1-11-95	Henry & Randy Krohn d/b/a Krohn Construction	Admin. Order/Penalty	AQ/SW	Kennedy	Inability to pay. Forms sent. No response. Follow-up - 3/96. 1/97 - County interested in tax deed.
1-13-95	James and Roxann Neneman	Admin. Order/Penalty	UT	Womson	2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under review by WW permits staff.
1-13-95	Simonsen Industries, Inc.	Admin. Order/Penalty	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status report regarding TSS permit limit by 9/20/96.
2-23-95	Lehigh Portland Cement	Permit Conditions	WW	Hansen	ALJ decision received. Admin. Order affirmed, penalty modified.
2-27-95	Sale-R-Villa Construction	Admin. Order/Penalty	AQ	Preziosi	In bankruptcy. Phone conversation 8/21/97 regarding closure. Phone conversation regarding settlement offer.
3-23-95	American Coals Corp.	Admin. Order	SW	Kennedy	Remediation plan received 5/27/96.
4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Kennedy	Negotiating before filing.
5-05-95	C & O Recycling Enterprises; Douglas W. Owen	Permit Denial	AQ	Preziosi	Hearing continued. Clean-up continuing.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals	Admin. Order/Penalty	HC/WW	Kennedy	Awaiting engineering evaluation.
5-25-95	E.I. DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	In the process of clean-up.
5-30-95	Earth Media Technologies	Admin. Order/Penalty	SW	Kennedy	Awaiting engineering evaluation.
5-31-95	E.I. DuPont DeNemours (91-A-266 thru 91-A-269)	Permit Conditions	AQ	Preziosi	Compliance achieved; settlement offer made 2/28/98.
6-16-95	Pilot Oil Corporation	Admin. Order/Penalty	WW/UT	Murphy	WW permits to negotiate settlement. Status of negotiations requested 1/9/96.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	Penalty settlement due 8/30/97.
6-23-95	Leonard C. Page	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
7-03-95	Donald J. Foreman d/b/a D & R Feedlots	Admin. Order/Penalty	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due 6/28/96. Response received from facility 7/96.
7-05-95	Boyer Valley Co.	Admin. Order/Penalty	WW	Hansen	Tanks removed. Report due.
7-10-95	Donald Krieger	Admin. Order/Penalty	UT	Womson	SCR received - rejected. Review progress.
7-10-95	Gilbert Persinger	Admin. Order/Penalty	UT	Womson	Superceded by subsequent action. Closed.
7-13-95	Organic Technologies Corp.	Admin. Order	SW	Kennedy	Compliance initiated. SCR under review.
7-28-95	Harold T. Knott; James C. Knott	Admin. Order	UT	Womson	SCR not received as of 2/29/96.
8-01-95	Wilbur McNear d/b/a McNear Oil Co.	Admin. Order/Penalty	UT	Womson	Appellant's attorney reply due 2/29/96.
8-18-95	Holiday Mobile Lodge, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer due 8/1/96.
8-24-95	Shell Rock Products, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Follow-up letter requesting information sent 1/12/96. Letter 2/19/96 granting additional time for information. 6/96 - additional.
9-06-95	Kraft Foods Inc.; Oscar Mayer Division	Variance Denial	WW	Hansen	Negotiating before filing.
9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Appellant no longer accepting waste. Renewal permit may be requested.
10-09-95	E.L. Incorporated	Admin. Order/Penalty	SW	Kennedy	Awaiting penalty payment.
10-17-95	Tri-County Bank	Admin. Order/Penalty	AQ	Preziosi	Hearing held 4/25/97. Decision received in DNR's favor. Penalty reduced. Decision appealed to EPC. 6/6/97. Briefs due to EPC.
10-17-95	Weber Construction, Inc.	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney Grading	Admin. Order/Penalty	AQ	Preziosi	Clean-up progressing. Working with FO #6. Receiving penalty payments.
12-12-95	Vernon Kinsinger; K & K Sanitation	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
12-27-95	Ag Processing, Inc.	Permit Denial	AQ	Preziosi	Negotiating before filing.
12-29-95	Spencer Memorial Hospital	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Womson	Compliance initiated by Atlantic Bottling. Comingled with coal tar. Joint agreement with I.E.S.
1-08-96	Westside Park for Mobile Homes	Admin. Order/Penalty	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility inspection 2/28/96 by FO 6.
1-11-96	Climax Molybdenum Company	Admin. Order/Penalty	AQ/HC	Preziosi	Negotiating before filing.
1-12-96	Clarence, City of	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction completed.
1-22-96	Daryl Hollingsworth and Karen Hollingsworth d/b/a Madona Store	Admin. Order/Penalty	UT	Womson	Tanks removed. Property sold.
1-25-96	Hidden Valley Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Markley Knock d/b/a Knock's Building Supply	Admin. Order/Penalty	AQ/SW	Kennedy	Phone conference with attorney regarding settlement - due 8/30/97.
2-06-96	Russell Staggs	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
3-11-96	Dallas County Care Facility	Admin. Order/Penalty	WW	Hansen	Facility inspected by FO. Now in compliance.
3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section.
3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Flow information requested from City's engineer. To be set for hearing. New waste load allocation and permit limits requested.
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscataine Community School	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
5-07-96	Lakeview Mobile Home Park	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement offer received from facility - under review.
5-08-96	Venmeer Mfg. Co. (96AQ06)	Admin. Order/Penalty	AQ	Preziosi	Drafting consent order.
5-14-96	Gary Lee Walker	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.

## Environmental Protection Commission Minutes

April 1998

5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Information received and reviewed by EPD. Settlement offer and revised permit sent to facility 7/8/97. Response received 8/8/97. Under Negotiating before filing.
5-29-96	Haasco, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-07-96	Koehring Cranes, Inc.	Open Burning Variance Denial	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19 sites)	Admin. Order	WW	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-10-96	DeCoster Farms of Iowa (5 sites)	Permit Denial	WR	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification Denial	SW	Kennedy	Hearing set for 6/29/98 - settlement pending
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt & Excavating	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
7/17/96	Richard L. Magdeffau	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 - Wright Co.)	Permit Denial	WW	Clark	Proposed decision 11/25/96 12/27/96 - Appealed to EPC.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	Admin. Order/Penalty	WW	Clark	Hearing continued - date to be set.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M Service Mart	Admin. Order/Penalty	UT	Womson	Negotiating before filing.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
8/23/96	Waste Management & Design (Monfort)	Admin. Order/Penalty	WW/SW	Kennedy	Settlement pending.
8/30/96	Howard Victor & Wanda Victor	Admin. Order/Penalty	UT	Womson	Closed facility. Negotiating penalty.
9/04/96	Ag Processing, Inc./Sheldon Facility	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
10/11/96	DeCoster Farms of Iowa (96-WW-32)	Admin. Order	WW	Clark	Hearing continued indefinitely.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 - Wright Co.)	Permit Revocation	WW	Clark	Hearing continued indefinitely.
10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	Negotiating before filing.
10/28/96	Holliman Ltd.	Admin. Order/Penalty	SW/WW	Murphy	Settlement offer made 2/25/98.
11/01/96	Joseph Barragy and Tom Barroy d/b/a J & M Woodshavings	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
11/05/96	Marvin Low d/b/a Low's DX	Admin. Order/Penalty	UT	Womson	Tanks removed. Negotiating penalty.
11/07/96	Todd L. Salow	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
11/08/96	Caseys General Stores, Inc.	Mean Time to Corrosion Failure	UT	Womson	Settlement conference held 2/17/97.
11/08/96	Carroll, City of	Admin. Order/Penalty	WS	Hansen	Returned to compliance.
11/25/96	Camp Golden Valley	Admin. Order/Penalty	WW	Kennedy	Negotiating before filing.
12/02/96	Organic Technologies Corp.	Permit Denial	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC 11/17/97. Petition for judicial review 12/18/97.
12/05/96	Organic Technologies Corp. -----91-SDP-02-04P	Admin. Order/Penalty Intended Permit Revoc.	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC 11/17/97. Petition for judicial review 12/18/97.
1/02/97	Ruan Leasing Co., aka Ruan Transportation Management Systems	Admin. Order	AQ	Preziosi	Negotiating before filing.
1/28/97	Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt	Admin. Order/Penalty	SW/AQ	Kennedy	Clean-up complete. Negotiating penalty.
2/07/97	Craig Burgin	Admin. Order/Penalty	UT	Womson	Compliance complete. Negotiating penalty.
2/19/97	Cliff's Place, Inc.	Admin. Order/Penalty	WS	Hansen	Compliance initiated.
2/21/97	Farmland Foods, Inc. (Denison)	Permit Conditions	AQ	Preziosi	Negotiating before filing.
3/04/97	Wayne Johnson	Admin. Order/Penalty	SW/AQ	Kennedy	Negotiating before filing.
3/20/97	Sylvan Acres	Admin. Order/Penalty	WS	Hansen	Compliance initiated.
3/28/97	Paul Behounek; Todd Behounek	Admin. Order/Penalty	SW/AQ	Kennedy	Negotiating before filing.
4/07/97	AGP, Inc. (Ag Processing, Inc.)	Permit Conditions	AQ	Preziosi	Negotiating before filing.
4/10/97	Lehigh Portland Cement	PSD Permit Denial	AQ	Preziosi	Negotiating before filing.
5/07/97	Delaware County Landfill, Inc.	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
6/06/97	Al DeCarlo Demolition Co.	Admin. Order/Penalty	AQ	Preziosi	Penalty received. Settled.
6/06/97	Carroll's Foods of the Midwest	Const. Permit Denial	WW	Clark	Negotiating before filing.
6/10/97	Kruger Seed Co.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6/16/97	Ritchie Industries, Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6/17/97	Bob Luke d/b/a D & R Tree Service	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
6/30/97	Linwood Mining and Minerals	Admin. Order	AQ	Preziosi	Negotiating before filing.
7/22/97	CIPCO	Construction Permit Conditions	AQ	Preziosi	Negotiating before filing.
7/22/97	Robert P. Frees; Elizabeth R. Mathes	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
7/30/97	Country Pumpkin	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.

7/31/97	Advanced Technologies Corp.	Admin. Order/Penalty	AQ	Preziosi	New case.
7/31/97	Brittany Estates Addition	Admin. Order/Penalty	WS	Hansen	Hearing set for 6/9/98.
8/01/97	Dodger Enterprises Co., Tire Chop Division: Donald Grell	Admin. Order	SW	Kennedy	Hearing set for 4/25/98
8/05/97	Bioavance Technologies	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
8/08/97	Tire-Tech Environmental Systems	Admin. Order/Penalty	SWWW	Kennedy	Appeal moot 2/16/98. Closed.
8/08/97	Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Mgmt. Comm.	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
8/15/97	Ralston Purina Co.	Permit Conditions (25 permits)	AQ	Preziosi	Negotiating before filing.
8/18/97	Stellar Industries Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
8/25/97	Joyce Wagner, Bruce Manthe d/b/a Wagner Truck Wash	Admin. Order/Penalty	WW	Murphy	9/97 - Case on hold pending compliance.
9/17/97	Keokuk Steel Castings	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
9/25/97	Iowa Mold Tooling Co., Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
9/26/97	Walnut Grove Water Co.	Admin. Order/Penalty	WS	Hansen	Under review by WS section. Connection to water supply for City of Davenport completed.
10/6/97	North Central Cooperative	Admin. Order/Penalty	HC/WW	Murphy	3/98 - Site assessment proceeding.
10/6/97	Big-Ten Mart/Truck Stop	Admin. Order/Penalty	WS	Murphy	Negotiating before filing.
10/6/97	Holnam, Inc.	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/7/97	Ottumwa, City of	Variance Denial	WW	Hansen	Informal meeting held 11/13/97. City submitted proposal. Letter sent to City accepting their proposal.
10/17/97	Iowa Select Farms, L.P. (Gast Finishing Farm) (Hardin Co.)	Admin. Order/Penalty	WW	Clark	Hearing set for 4/13/98.
10/22/97	Lehigh Portland Cement Co.	Admin. Order	AQ	Preziosi	Negotiating before filing.
11/19/97	Troy Elevator, Inc.	Admin. Order/Penalty	WW/HC	Murphy	Negotiating before filing.
11/21/97	Iowa Realty - Easter Lake Estates	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
12/02/97	Dows, City of	Admin. Order	WW	Hansen	F.O. 2 inspection 3/98. To be set for hearing.
12/03/97	Milton, City of	Admin. Order/Penalty	SW/AQ	Kennedy	Negotiating before filing.
12/05/97	Emery Gingerich d/b/a Gingerich Well and Pump Service	Admin. Order/Penalty	WW	Murphy	Settlement offer 3/19/98. Penalty received 3/27/98. Settled.
12/08/97	Alan Rasnussen	Admin. Order/Penalty	WW	Clark	Settlement letter sent 2/16/98. First penalty installment due 5/1/98.
12/12/97	Donald E. Grell; Dodger Enterprises, Tire Chop Division	Notice of Intent to Revoke Solid Waste Tonnage Fee Determination	SW	Kennedy	Hearing set for 4/23/98.
12/17/97	Lafarge Corporation, Inc.	Harcourt Variance	SW	Murphy	Pending legislation will resolve.
12/22/97	Dave and Kristi Castenson; Donald Fields, Conservator for Thelma Pirie	Harcourt Variance	WW	Hansen	Hearing set for 4/29/98.
12/30/97	Ronald Juergens	Admin. Order/Penalty	WW	Murphy	Settlement offer 3/17/98.
1/07/98	Iowa Select Farms, L.P. (Sow Farm #8) (Wright Co.)	Admin. Order/Penalty	WW/HC	Clark	Hearing set for 4/9/98.
1/13/98	DeCoster Farms of Iowa (Nursery #8) (Wright Co.)	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1/16/98	Pilgrim Heights Camp	NPDES Permit Conditions	WW	Hansen	Negotiating before filing.
1/21/98	Leroy Wulf	Admin. Order/Penalty	WW	Clark	Settlement letter sent 3/2/98. First penalty installment due 4/1/98.
1/23/98	Sac City	Admin. Order/Penalty	WW	Hansen	Negotiating before filing.
1/29/98	Ralston Purina Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
1/30/98	Rockwell City	Admin. Order/Penalty	WW	Hansen	Negotiating before filing.
2/13/98	Ed Engelbrecht d/b/a E & E Auto Salvage	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
2/17/98	Irvin Leichty	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
2/19/98	Jacob Yoder	Admin. Order/Penalty	AFO	Clark	Settlement letter sent 3/11/98. Penalty due 4/1/98.
2/19/98	Robert Butler	Admin. Order/Penalty	AFO	Clark	Settlement letter sent 3/26/98. Penalty due 4/15/98.
2/24/98	Rinard, City of	Permit Conditions	WS	Hansen	Negotiating before filing.
2/25/98	Iowa City, City of (City Carton Corp.)	Tax Certification	SW	Murphy	Appeal withdrawn 3/25/98.
2/26/98	Ira Cooley, Debby Cooley and Karen Sauer	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
2/27/98	James Mills	Admin. Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.
2/27/98	Webb, City of	Admin. Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.
3/05/98	Bluff Harbor Marina	Denial of Tag Issuance	UT	Womson	New case.
3/6/98	Enviro Safe Air, Inc. (98-AQ-05)	Admin. Order/Penalty	WS	Hansen	New case.

Mr. Stokes presented the routine monthly reports noting that he distributed to the each Commissioner's table a copy of the Air Quality Bureau Expenditures and materials from the Client Contact Group meeting.

Chairman Ehm asked if the installation of the PM2.5 monitors has begun.

Mr. Stokes replied that installation is just beginning. He noted that the Muscatine area will be back to attainment status on May 18, if no adverse comments are received. He related that Muscatine was the only area in nonattainment but the department is working with several other areas to keep them from being designated nonattainment.

Charlotte Mohr asked why penalties were rescinded on a number of UST cases on the Enforcement Report.

Mr. Murphy responded that it was part of a clean up effort for which there are various reasons, but in all of those cases compliance had been achieved.

Mr. Stokes stated that he also placed at the Commissioner's work table a document clarifying Special Waste Authorizations.

Mr. Stokes reviewed that last month the Commission asked for information on comparative costs for the department to handle Polk and Linn Counties air monitoring program versus the counties handling the program themselves. He distributed copies of a paper showing the local program cost analysis and explained same. He related that he believes it is wise to leave the program with the local officials.

Rita Venner commented that it gives some local ownership when the counties are allowed to do that and it is a good plus.

<b>INFORMATIONAL ONLY</b>
---------------------------

## **PRESENTATION ON SECTION 319 NONPOINT SOURCE POLLUTION CONTROL PROGRAM**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

A presentation on Iowa's Section 319 Nonpoint Source Pollution Control Program will be provided for the Commission. Information presented will include the program's purpose, funding levels received from EPA, types of activities and projects conducted, and future program direction.

Mr. Stokes reviewed that last month the Commission asked for information on the program itself, and he introduced Ubbo Agena from his staff to make the presentation.

Mr. Agena presented a brief overview and background of the program. He discussed Section 319 Requirements; Amount of Section 319 Funding received from FY 90-98; How the

Funds are Used; Recap of Projects Funded FY 90-97; Project Application Process; FY99 Application Schedule; Changes in Direction of Section 319 Program; EPA's Key Elements for State NPS Programs; and Current Status of Iowa's NPS Program. He distributed copies of a brochure on the Lake Fisher Water Quality Project in Bloomfield and Davis counties, which was funded out of a FY97 grant.

Mr. Agena stated that the CLEAR Project is a 319 Project that has been going on for three years. He related that Clear Lake is a rather small watershed relative to the lake size and there is not a great deal of outflow from the lake, which causes any pollutants that wash into the lake to stay there. Mr. Agena reported that the primary problem is high phosphorus in the lake and sources of that are both the agricultural area and the urban area. Septic tanks have also been identified as a problem. He pointed out that even if steps are taken to correct the problems it will take a long time to see any impact on the lake.

Discussion took place regarding the Raccoon River Watershed Project and Big Springs Project.

INFORMATIONAL ONLY
--------------------

**SECTION 319 NONPOINT SOURCE PROJECT CONTRACT - DEVELOPMENT, IMPLEMENTATION AND EVALUATION OF AN IOWA FARM\*A\*SYST/HOME\*A\*SYST PROGRAM (FAS/HAS)**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Commission approval is requested to enter into contracts with the Iowa Farm Bureau Federation (IFBF) for development, implementation and evaluation of an Iowa Farm\*A\*Syst/Home\*A\*Syst Program.

Farm\*A\*Syst/Home\*A\*Syst (FAS/HAS) is a cost-effective, voluntary pollution risk assessment program that has been adopted and used by states nationwide. Through this program, farmers and homeowners are able to evaluate potential environmental risks associated with their farms and residences and make appropriate changes to protect ground and surface water. Under the IFBF project, currently available national FAS/HAS materials will be revised to make them consistent with Iowa's laws, regulations and environmental concerns. Farmer focus groups will be utilized to pilot test the various materials and increase their usability. The final developed FAS/HAS materials will be made available in both paper and computer formats.

Contract funds will be used to support a project director and various activities associated with the development of the assessment materials. The activities of this three-year project will be initiated upon EPC approval. The first year activities will be supported with FFY97 Section 319 grant funds, and FFY98 grant funds will support the second and third year activities. Total Section 319 funding provided to the project over the three-year period will be \$271,000, and the

IFBF and other cooperating agencies and organizations will contribute additional in-kind support with an estimated value of \$180,000.

Mr. Stokes explained details of the contract.

Charlotte Mohr asked how the farms are selected for the program.

Ubbo Agena explained that this is a national program which is a self evaluation type of program. It is intended to allow producers to take the materials and evaluate their own farmstead and home to determine if they have conditions that might lead to environmental problems and what they can do to correct the problems. The effort will be focused on making the materials usable for Iowa so that producers can use them directly as opposed to having someone else sit down with the producer to go through them. He related there are farmers who are concerned about the confidentiality issue and this would alleviate those concerns.

Discussion followed on incentive for taking part in the program, and that people will be made aware of the program through the Extension Service, NRCS, DNR, and commodity groups.

*Motion was made by Rozanne King to approve the Nonpoint Source Project Contract for FAS/HAS as presented. Seconded by Charlotte Mohr. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## **FINAL RULE--CHAPTER 92, STATE REVOLVING FUND (CWA)**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the attached as final rules.. Previously a Notice of Intended Action was approved by the Commission and published in the Iowa Administrative Bulletin on February 11, 1998. A public hearing was advertised for March 3, 1998 and written comments were accepted through March 13.

Several written comments were received and are summarized in the attached responsiveness summary. As a result of comments, a minor change was made in the proposed amendments to identify projects that may take advantage of the reduction in requirements for loan projects.

### **ENVIRONMENTAL PROTECTION COMMISSION [567]**

Adopted and Filed

Pursuant to the authority of Iowa Code section 455B.299, the Environmental Protection Commission hereby amends Chapter 92, "State Revolving Fund Loans for Wastewater Treatment," Iowa Administrative Code.

Notice of Intended Action was published in the February 11, 1998 Iowa Administrative Bulletin as ARC 7824A. One public hearing was held and comments were accepted through March 13, 1998. A responsiveness summary was prepared addressing the comments received and this document is available from the Iowa Department of Natural Resources.

The adopted amendments differ slightly from the amendment as published in the Notice of Intended Action. A comment was received that suggested the benefits of deleting the project requirements in Item 11 of the Notice of Intended Action be extended to additional projects beside those that are identified in Intended Use Plans for fiscal 1998 and later. There are projects that were on previous Intended Use Plans that could still benefit from the removal of requirements in the rule that are no longer federal requirements. The change will allow any city that is not required by federal regulation to meet the project requirements being removed from this rule to take advantage of this rule change if it has not proceed beyond the point where it can benefit.

These amendments update the rules for the administration of the state revolving fund loans for wastewater treatment. They include deletions of requirements for loan recipients no longer required by the federal Clean Water Act and implementing regulations. These amendments will ease the burden on applicants for loan assistance.

The Environmental Protection Commission adopted these amendments at its April 20, 1998, meeting.

These amendments are intended to implement Iowa Code sections 455B.291 through 455B.299.

The following amendments are adopted.

---

ITEM 1. Amend rule 567--92.3(455B), definition of "Fiscal year," as follows:

"Fiscal year" means the ~~federal~~ state fiscal year starting ~~October~~ July 1 and ending ~~September~~ June 30.

ITEM 2. Rescind and reserve subrule 92.4(3).

ITEM 3. Amend subrules 92.4(6) and 92.4(7) as follows:

92.4(6) Eligible recipient determination. Municipalities projected to be able to qualify for SRF assistance will be identified in an annual intended use plan. Only those projects on the current fiscal year state project priority list developed pursuant to 567--Chapter 91 may be considered as an eligible recipient. SRF assistance will be available to projects in priority order ~~with first consideration given to the "first use" criteria of subrule 92.4(3).~~

92.4(7) State capitalization grant. The Clean Water Act authorizes the Environmental Protection Agency (EPA) to offer capitalization grants to states for use in a revolving fund loan program through fiscal year 1994. ~~All wastewater treatment projects defined in Section 212 of the Clean Water Act which receive loan assistance from the fund before fiscal year 1995 will meet the requirements of Sections 201(b), 201(g)(1), 201(g)(2), 201(g)(3), 201(g)(5), 201(g)(6), 201(n)(1), 201(o), 204(a)(1), 204(a)(2), 204(b)(1), 204(d)(2), 211, 218, 511(e)(1), and 513 of the Clean Water Act, as described in rule 92.10(455B).~~ A portion of the capitalization grant, as allowed by Title VI of the Clean Water Act, will be used to administer the SRF program.

ITEM 4. Amend subrule 92.5(1) as follows:

92.5(1) Forms. The department will provide an application package to apply for SRF loan assistance and to provide documentation in the program. Forms can be obtained from the Environmental Protection Division, Iowa Department of Natural Resources, Henry A. Wallace Building, ~~900 East Grand~~ 502 E. Ninth Street, Des Moines, Iowa 50319-0034.

ITEM 5. Amend subrule 92.5(2), paragraph "a," as follows:

a. Two copies of the facility plan certified by a professional engineer ~~registered~~ licensed to practice in Iowa;

ITEM 6. Amend subrule 92.5(3) as follows:

92.5(3) Timing. Applications received for eligible projects by the department on or before July 1 ~~preceding the fiscal year~~ will be ~~given first assigned~~ a priority for loan assistance in the development of the IUP for that fiscal year. Applications received after that date will be considered for addition to the list of eligible recipients in the IUP in priority order following applicants which had applied by July 1.

ITEM 7. Rescind and reserve subrule 92.6(2), paragraph "a," subparagraph (1).

ITEM 8. Rescind and reserve subrule 92.6(2), paragraph "d," subparagraphs (4) and (5).

ITEM 9. Amend subrule 92.7(2), paragraph "e," as follows:

e. The applicant has demonstrated its ability to provide the necessary legal, institutional, managerial and financial capability to ~~complete the project~~ ensure adequate construction, operation and maintenance. If the director has reasonable grounds to believe that an applicant's disposal system is not viable, the department may require the applicant to submit management and financial plans as prescribed in Iowa Code section 455B.174.

ITEM 10. Amend subrule 92.8(7) as follows:

92.8(7) Project bypass. Any project identified in the intended use plan for funding in a fiscal year that has not signed a binding commitment by August 31 ~~of~~ following the fiscal year ~~will in which a fundable priority was assigned~~ may be bypassed by projects of a lower priority that are in a state of readiness.

ITEM 11. Amend rule 567--92.10(455B), introductory paragraph and subrule 92.10(1), as follows:

567--92.10(455B) Project requirements. The following requirements of this rule apply to all wastewater treatment projects defined in Section 212 of the Clean Water Act receiving assistance from the SRF that entered a binding loan commitment or initiated construction prior to October 1, 1994. They are identified here with references to sections of the Clean Water Act and federal regulations, where appropriate. All wastewater treatment projects receiving assistance from the SRF which enter a binding loan commitment on October 1, 1994, or after and did not initiate construction of the loan project in whole or in part prior to October 1, 1994, need only meet the requirements of paragraphs 92.10(1)"a," 92.10(1)"h," 92.10(2)"b," 92.10(2)"c," 92.10(2)"f," 92.10(2)"g," 92.10(2)"h," 92.10(2)"i," and subrule 92.10(3).



92.10(1) Planning. The planning phase of a project includes those necessary plans and studies which directly relate to facilities needed to comply with enforceable requirements of the Clean Water Act and state statutes. It consists of a systematic evaluation of alternatives that are feasible considering the unique demographic, topographic, hydrologic, and institutional characteristics of the planning area. ~~Facilities planning will determine which alternative is cost effective~~ must support selection of the proposed alternative.

The planning phase must include the following:

a. A description of the proposed project and the complete system of which it is a part. The facility plan must be prepared in accordance with chapter 11 of the "Iowa Wastewater Facilities Design Standards," and meet the applicable provisions of this subrule.

b. to h. No change.

ITEM 12. Amend subrule 92.10(2), paragraphs "b" and "c," as follows:

b. User charge system -- ~~Section 204(b)(1) requires that a~~ A system of user charges must be developed and enacted to ~~assure~~ ensure that users will pay their proportionate share of the costs of operation and maintenance (including replacement) of any waste treatment services provided by the recipient. A user charge system may also include methods of revenue collection for loan repayments.

c. Recipient capability. The recipient must demonstrate to the department that it has the legal, institutional, managerial and financial capability to ensure adequate construction, operation and maintenance of treatment works, ~~as required by Section 204(b)(1) of the Clean Water Act.~~

ITEM 13. Amend subrule 92.10(3) as follows:

92.10(3) Qualifying requirements. ~~The Clean Water Act includes several conditions~~ Other information not identified in any particular phase of a project but which includes basic qualifying factors necessary to qualify any project for SRF assistance must be provided. These consist of the following:

a. Fundable categories, of projects are as defined in 567--91.6(2), including:

(1) ~~Treatment~~ ~~Section 201(g)(1) limits assistance to projects for secondary treatment, advanced treatment, or any cost effective alternative, new interceptors and appurtenances, and infiltration/inflow correction. This section retains the governor's discretionary set aside by which a state can use up to 20 percent of its allotment for other projects within the definition of treatment works in Section 212(2), and for certain nonpoint source control and groundwater protection purposes, as defined in Section 319 of the Clean Water Act and subsequent agency regulations (40 CFR 35.2015(b)(2)(ii iv): State Priority System and Project Priority List).~~

(2) ~~Sewers~~ ~~governor's discretionary fund~~ ~~Section 211 provides that major rehabilitation or replacement of collectors is not eligible under the governor's 20 percent discretionary authority of 201(g)(1) unless the collector is needed to assure the total integrity of the treatment works, or that, for a new collector, adequate capacity exists at the facilities (40 CFR 35.2116 Collection System).~~

(3) ~~Combined sewer overflows~~ ~~Section 201(n)(1) provides that funds under Section 205 may be used for water quality problems due to discharges of combined sewer overflows which are not otherwise eligible, if such discharges are a major priority in a state (40 CFR~~

~~35.2015(b)(2)(iv): State Priority Systems categories of need and 35.2024(a): Combined Sewer Overflows).~~

b. Capital financing plans. ~~Section 201(e) calls on the state to assist eligible~~ Eligible recipients in the development of must develop a capital financing plan which, at a minimum:

(1) Projects the future requirements for waste treatment services within the applicant's jurisdiction for a period of no less than ten years;

(2) Projects the nature, extent, timing, and costs of future expansion and reconstruction of treatment works which will be necessary to satisfy the applicant's projected future requirements for waste treatment services; and

(3) Sets forth with specificity the manner in which the applicant intends to finance such future expansion and reconstruction.

The recipient must submit the plan to the department for any comments deemed necessary.

c. Cost information. Cost estimates for the total project and costs allowable for loan financing shall be provided to the department by an eligible recipient.

d. NPDES compliance. To qualify for an SRF loan, a recipient must demonstrate to the satisfaction of the director that the project receiving loan assistance is a part of the recipient's overall plan that addresses all wastewater treatment needs and that describes how compliance with NPDES permit limitations will be achieved and maintained.

ITEM 14. Rescind subrule 92.10(4).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry J. Wilson, Director

(A copy of the Responsiveness Summary is on file in the department's Records Center)

Mr. Stokes briefly explained the rules.

*Motion was made by Rozanne King to approve Chapter 92--State Revolving Fund (CWA) as presented. Seconded by Rita Venner. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## **STATE REVOLVING FUND - INTENDED USE PLAN, 1997-98 (DRINKING WATER)**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve providing public notice and soliciting public comment on a draft Intended Use Plan for fiscal year 1997 and 1998 revolving fund loan assistance for drinking water infrastructure improvements.

Section 1452 of the Safe Drinking Water Act authorizes the U.S. Environmental Protection Agency (EPA) to establish a State Revolving Loan Fund for drinking water-related projects to assist water systems to finance the costs of infrastructure needs and to maintain compliance with SDWA. Authorizing legislation to set up this fund in Iowa was approved in March 1997, and Departmental SRF rules became effective in January, 1998.

The FY 1997-1998 Intended Use Plan includes the list of projects proposed to receive loan assistance through the state revolving fund with money available for the 1997-1998 combined capitalization grant funds. Opportunity for public input is required by EPA. The IUP is the initial step in preparing a grant request for federal funds for the drinking water SRF.

Eighty-nine (89) applications have been received to date for placement on the project priority list, and the highest scoring applications will be included on the proposed list for assistance. Notices will be sent to all cities and interested persons or groups. A proposed final IUP will be presented to the commission for approval following the hearing and consideration of any comments or additional applications received.

(A copy of the IUP is on file in the department's Records Center)

Mr. Stokes reviewed details of the plan noting that this is the first year for this program under the federal Clean Water Act. He related that it is patterned after the wastewater program where low interest loans are provided to public water supply facilities to help them make sure they are providing safe, potable water to their customers and complying with federal and state laws.

*Motion was made by Rita Venner to approve the State Revolving Fund Intended Use Plan FY 1997-98 for Drinking Water. Seconded by Charlotte Mohr. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## **PETITION FOR RULE MAKING - POCAHONTAS COUNTY BOARD OF SUPERVISORS - WATER QUALITY STANDARDS FOR WETLANDS**

**(This item was deferred for 60 days on request by the Pocahontas County Board of Supv.)**

**DEFERRED FOR 60 DAYS**

## **NOTICE OF INTENDED ACTION--CHAPTER 103, SOLID WASTE RULES**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the Notice of Intended Action to begin the formal rule making process on the attached amendment to the solid waste rules. This amends Chapter 103 to add a section on the design, operation, and closure of landfills used only for the disposal of coal combustion residue from the burning of coal and other carbon based fuels. Some of the major differences compared to the non-municipal solid waste landfill requirements are, no bottom liner or leachate collection system, the operating plan must be submitted to the DNR Field Office and is not included with the permit application, there is no specific daily or intermediate cover requirement as long as fugitive dust does not leave the site, and groundwater monitoring requirements are reduced.

### **ENVIRONMENTAL PROTECTION COMMISSION Notice of Intended Action**

Pursuant to the authority of the Iowa Code section 455B.304, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 103, "Sanitary Landfills," Iowa Administrative Code.

This amendment adds a new rule 567--103.7(455B) which applies to the design, operation and closure of landfills for only the disposal of coal combustion residue by itself or in conjunction with other carbon based fuels. Following are major differences compared to non-municipal solid waste landfills. There is no specific bottom liner requirement or leachate collection system. The operating plan must be submitted to the appropriate field office and is not part of the construction permit application. Daily and intermediate cover are not required if fugitive dust does not leave the site and erosion is not a problem. Monitoring requirements are reduced and closure and postclosure requirements are reduced.

Any interested person may make written suggestions or comments on the proposed rule on or before June \_\_\_\_\_, 1998. Written comments should be directed to Lavoy Haage, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des Moines, Iowa 50319-0034, fax (515)281-8895.

Also, there will be a public hearing on June \_\_\_\_\_, 1998, at \_\_\_\_\_ p.m. in the \_\_\_\_\_ of the Wallace State Office Building at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the rule.

Any persons who intend to attend a public hearing and have special requirements such as hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement Iowa Code Section 455B.304.

The following amendment is proposed.

---

Amend 567--Chapter 103 by adding the following **new** rule:  
567--103.7(455B) Coal combustion residue landfills. Following are the minimum requirements for siting, designing, and operating a solid waste landfill accepting only coal combustion residue. This rule stands alone and is not affected by references in other rules. "Coal combustion residue" means any solid waste produced by the burning of coal, either by itself or in conjunction with natural gas or other carbon-based fuels. It includes, but is not limited to,

bottom ash, fly ash, slag and flue gas desulfurization system material generated by coal combustion and associated air pollution control equipment.

103.7(1) Site requirements.

a. The site cannot be a wetland, cannot be within a 100-year flood plain and cannot have any sinkholes or similar karst features.

b. No wastes shall be deposited within 300 feet of an inhabitable residence or a commercial enterprise, or within 50 feet of the property boundary.

c. All waste must be a minimum of 5 feet above the high groundwater table.

103.7(2) Permit application requirements.

a. A completed application Form 50.542-1542.

b. A copy of the letter from the waste management assistance division approving the comprehensive plan required by 567--101.5(455B).

c. Proof of legal entitlement to use the property as proposed.

d. A topographic map of the site and the adjacent area within 300 feet of the site, with contour intervals not exceeding ten feet, that shows the location of existing improvements or alterations such as structures, wells, lakes, roads, drain tiles or similar items. The highest point of elevation on the site shall also be identified and given.

e. The results of a sufficient number of soil borings to determine the hydrogeologic conditions and establish the direction of groundwater flow throughout the site and the minimum depth to groundwater on the site.

f. An adequate number of representative groundwater sample results, minimum of three locations, to fully characterize the groundwater quality at the site. Following are the analytical parameters that are required to characterize groundwater quality and establish a baseline for those parameters: Arsenic, barium, beryllium, cobalt, copper, iron, lead, magnesium, manganese, selenium, zinc, chlorides, and sulfate.

g. Construction drawings and specifications of the improvements and alterations that are to take place on the site such as roads, structures, utilities, drainage ways, gates and fences.

h. A copy of the local siting approval required by Iowa Code section 455B.305A.

103.7(3) Design criteria.

a. The design of a coal combustion residue solid waste landfill shall contain a method for ensuring protection of the groundwater and surface water.

b. The design plan shall include a method of ash transportation that prevents blowing ash and a method for preventing blowing dust and air emissions when unloading the ash.

c. Surface runoff must be diverted from all active or closed areas, both during the active life of the facility and during the postclosure period.

d. The site must be secured with a fence and gate(s) to prevent unauthorized entry when unattended.

e. The site must have all-weather access roads adequate to accommodate all delivery vehicles and operating equipment.

f. The site must be fenced and gated in a manner that will prevent unauthorized deposition of wastes at the site.

103.7(4) Operating requirements.

a. An operation plan shall be prepared and submitted to the appropriate department field office prior to initiating operations. The plan, at a minimum, shall include:

(1) An identification of the area to be filled during the period for which a permit is being requested.

(2) The method(s) that will be utilized to prevent illicit municipal or putrescible solid wastes from being deposited as a result of mixing with authorized waste brought to the site.

(3) The frequency, extent and method of spreading and compacting the waste; the optimum layer thickness; and the size and slope of the operating face.

(4) A description of the operating procedures that will be followed when wastes are brought to the site.

b. After the waste is deposited it must be treated as necessary; to control fugitive dust that would leave the site, and to control erosion that would impact operations in the active fill area. If the methods used do not adequately control dust and erosion, the department may require site specific controls including a soil cover.

c. A minimum of one down gradient monitoring well must be installed within one year of initiating operations. Additional wells may be required when it is apparent that more than one potential contaminant pathway exists. Monitoring wells will normally be placed within 50 feet of the waste boundary.

d. Annual sampling of all monitoring wells shall commence within one year of initiating operations. Additional sampling may be required if it appears that the groundwater is or may be affected by leachate or surface activities at the landfill.

e. A report of the groundwater monitoring results shall be submitted to the department by the end of the first year's operation and annually thereafter.

103.5(5) Closure/postclosure requirements.

a. One-hundred-eighty days prior to closure, the owner/operator shall submit a postclosure plan to the department. The plan shall list the date of closure, the actions that will be taken to close the site and the parties responsible for postclosure maintenance.

b. The final cover shall consist of not less than 2 feet of compacted soil and 1 foot of uncompacted soil capable of sustaining a growth of common grasses.

c. The slope of the landfill area after final closure shall be not less than 3 percent nor more than 25 percent.

d. A growth of common grasses shall be established on the final cover by the end of the first full growing season.

e. A minimum of one sample from each monitoring well shall be collected annually during the postclosure period and analyzed for the parameters specified in the permit. The results shall be included in the annual report.

f. After closure, an annual inspection of the site shall be conducted. Any differential settling, surface cracks, holes, erosion channels, or any interference with surface drainage shall be corrected by restoration to the original condition. A report on the findings and corrective actions taken shall be included in the annual report. These postclosure actions are required for a minimum of ten years following closure. The Department may extend the monitoring and reporting period if it appears that continued maintenance and monitoring is warranted.

103.7(6) Permit renewal. The term for a permit to operate a solid waste landfill accepting only coal combustion residue waste shall be for ten years and shall be renewable for a similar term.

---

Date

---

Larry J. Wilson, Director

Mr. Stokes stated that these rules are a portion of the rules the Commission rescinded last month. These rules are better tailored and streamlined regulations that would apply to coal combustion residue monofils. He related that with the previous set of rules some folks believed that the department was trying to sneak something through, and he does not want the issue to get clouded that it was part of the larger rulemaking. He noted that in the interest of being fully open and so that everyone has an opportunity to focus on this set of rules he is asking for approval to take it out to public hearing.

*Motion was made by Rozanne King to approve Notice of Intended Action--Chapter 103, Solid Waste Rules. Seconded by Terrance Townsend.*

Chairman Ehm asked if the comments received on the first set of rules will be a part of the final rule package.

Mr. Stokes stated that he would hope those who made comments then would make comments again. He related that this is a new rulemaking so those folks who commented the last time around should comment again as this is a separate rulemaking.

Discussion followed regarding the content of coal residue, uses for fly ash and proper disposal.

*Vote on Commissioner King's motion carried unanimously*

**APPROVED AS PRESENTED**

## **PROPOSED RULE--CHAPTER 28, AIR QUALITY - REVISED NAAQS**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The attached draft rule to amend Chapter 28, "Ambient Air Quality Standards," is provided to the Commission for information only at this time. At their May 1998 meeting, the Commission will be asked to approve a Notice of Intended Action to solicit public comment on these rules through normal rulemaking processes.

The purpose of this rule making is to adopt by reference the new PM<sub>2.5</sub>, and revised PM<sub>10</sub> and ozone national ambient air quality standards (NAAQS), which were effective federally on September 16, 1997. The U.S. Environmental Protection Agency amended the existing NAAQS for ozone and promulgated a new annual and 24-hour PM<sub>2.5</sub> NAAQS to better protect public health, especially those at higher risk, such as children, the elderly, and individuals with preexisting heart or lung diseases. They also made revisions, which relaxed the current PM<sub>10</sub>

NAAQS. The federal Clean Air Act requires that each NAAQS be reviewed and possibly revised every five years to reflect the most recent health information available.

40 Code of Federal Regulations Section 50.2(b) states that the "National primary ambient air quality standards define levels of air quality which the Administrator judges are necessary, with adequate margin of safety, to protect the public health." In Iowa Code subsection 455B.133[3], the Commission is required to "Adopt, amend, or repeal ambient air quality standards for the atmosphere of this state on the basis of providing air quality necessary to protect the public health and welfare..."

### **ENVIRONMENTAL PROTECTION COMMISSION [567] Notice of Intended Action**

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 28, "Ambient Air Quality Standards," Iowa Administrative Code.

The purpose of this rule making is to adopt by reference the new PM<sub>2.5</sub>, and revised PM<sub>10</sub> and ozone national ambient air quality standards (NAAQS), which were effective federally on September 16, 1997. The U.S. Environmental Protection Agency amended the existing NAAQS for ozone and promulgated a new annual and 24-hour PM<sub>2.5</sub> NAAQS to better protect public health, especially those at higher risk, such as children, the elderly, and individuals with preexisting heart or lung diseases. They also made revisions, which relaxed the current PM<sub>10</sub> NAAQS. The federal Clean Air Act requires that each NAAQS be reviewed and possibly revised to reflect the most recent health information available.

Any person may make written suggestions or comments on the proposed rules on or before \_\_\_\_\_. Written comments should be directed to Scott Vander Hart, Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, Urbandale, Iowa 50322, fax (515) 242-5094, or by electronic mail to [svander@max.state.ia.us](mailto:svander@max.state.ia.us).

A public hearing will be held on \_\_\_\_\_ at \_\_\_\_\_ in \_\_\_\_\_, at which time comments may be submitted orally or in writing.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility should contact the Department of Natural Resources to advise the Department of any specific needs.

The amendment may impact small businesses.

The amendment is intended to implement Iowa Code section 455B.133.

The following amendment is proposed.

---

Amend rule 567--28.1(455B) as follows:

567--28.1 (455B) Statewide standards. The state of Iowa ambient air quality standards shall be the National Primary and Secondary Ambient Air Quality Standards as published in 40 Code of



Federal Regulations Part 50 (1972) and as amended at 38 Federal Register 22384 (September 14, 1973), 43 Federal Register 46258 (October 5, 1978), and 44 Federal Register 8202, 8220 (February 9, 1979), ~~and~~ 52 Federal Register 24634-24669 (July 1, 1987), and 62 Federal Register 38651-38760, 38855-38896 (July 18, 1997).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry J. Wilson, Director

Mr. Stokes reviewed that last month the Commission approved rulemaking addressing updates of the rules as they relate to keeping in step with federal rules on the air quality side. He noted that the one item the Commission deleted from that rulemaking was an item that would adopt by reference the new federal National Ambient Air Quality Standards for fine particulate matter which is PM<sub>2.5</sub> or smaller and a revised ozone standard. Mr. Stokes distributed copies of a paper with information about the National Ambient Air Quality Standards - PM<sub>2.5</sub> & Ozone. He related that it will answer many of the Commission's questions on this subject. Mr. Stokes stated that Iowa has to develop a plan on how the state will meet the NAAQS on PM<sub>2.5</sub> and Ozone standards, which is done by preparing a SIP. The department will have to develop plans on how the state will meet NAAQS whether or not the Commission adopts a rule. He added that if Iowa does not do anything to implement the standards the federal government will establish and enforce federal implementation plans for Iowa.

Discussion followed regarding areas to monitor and where concentrations would be heaviest; the smell of diesel at truck stops along Interstate; and no exemptions for farmers.

Gary Priebe asked why these rules were brought back to the Commission when they was voted down last month.

Mr. Stokes replied that it was voted down but the minutes reflect that it would be brought again in a clear form because he viewed the Commission's decision not necessarily as "absolutely no" but that some legitimate questions were raised about how does it work, what are the impacts, what are the time frames, and when could things hit? He related that he does not come before the Commission with any preconceived notion that at the end of this process the Commission will say "yes, we're going to adopt this as a rule," but to begin the process of trying to answer those questions and see which direction the Commission wants to go with it.

INFORMATIONAL ONLY
--------------------

## REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Director requests referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the Commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. City of Fairfield - water quality
- b. Tire-Tech Environmental Systems, Inc. (Muscatine) - solid waste
- c. Robert Jeff White (Dallas County) - solid waste/air quality

### **City of Fairfield**

Mr. Murphy stated that referral is being sought due to violations of the city's discharge limits for ammonia nitrogen in its wastewater effluent. He pointed out that there had been two prior Administrative Orders in the 1980's involving this among other issues, as well as a prior referral in 1990 which resulted in a consent decree. He noted that there was a period of time when they came into compliance and after the consent decree the violations were not as severe as in the past. Mr. Murphy stated that inspection was done last Fall which documented almost monthly violations of ammonia nitrogen limits and violations were far in excess of what their permit reads. He related that staff tried to resolve it with a Consent Administrative Order which would provide for penalties for past violations, a compliance schedule, and stipulated penalties for the violations in the interim. He noted that the City did not want to pay interim penalties, have retained an engineer to study the problem, and have submitted an engineering report as requested. Mr. Murphy added that staff presumes they are on the way to compliance but feel that in light of the past history and continued violations it needs to be referred to address the penalties.

### **Appointment - John Morrissey**

John Morrissey, City Attorney for the City of Fairfield, stated that the city has not disagreed with the Consent Administrative Order on five of the six items. He added that they are asking for some leeway, rather than a retroactive proposal, under item six to allow time for their plan of action submission on April 1, before assessing stipulated per diem penalties or per milliliter penalties against the plant. Mr. Morrissey said that since early November the city had been doing what they thought would be acceptable to the department and was going to have a report to the department before April 1. He related he thinks it is an incorrect summary by Mr. Murphy to present that the matter is something in controversy or that the city is disputing the Administrative Order or the need to resolve it. He added that they asked for some leeway on the imposition of a stipulated per diem or per milliliter penalty until after the city has the rest of the

results of their reports. Mr. Morrissey noted that in November they hired an engineer who began a process of in-plant evaluation and also a survey of the industries that were contributors. He related that they are still having difficulty locating the source of the additional metals, adding that he has received a response from all except nine or ten industries in the survey of fifty. He added that half of the steps proposed by the engineers have been completed, up to the date of submission of the plan of action. Mr. Morrissey spoke of meeting with Over Tech for corrective measures for intake of more oxygen into their system. He noted that the readings were on target in February and in March they were missed only by 1/10 of a millileter on the average for the month. He stated that he sees no reason to turn this into a courtroom litigation, adding that he has authority to pay the \$5,000 penalty but does not know what to tell about the costs from the mechanical supplier and engineer. He related that he will probably have to come back in several months to give the Commission more definite times as far as a plan for the installation, construction and improvements to get it fixed.

Discussion followed regarding the willingness of the city to pay the \$5,000 and a schedule on the sixth provision; exceeding daily maximum every month from 6/1/96 to 8/6/97; and the city's efforts to correct exceedances.

Mr. Murphy stated that he does not disagree the issue is stipulated penalties but he would not call them retroactive, relating that he wrote the City in December 1997 saying the proposed settlement is \$5,000 for the violations to date, and stipulated penalties will begin 1/1/98. He related that is a standard provision in either administrative or court orders that will involve a period of noncompliance while action is being taken to correct the situation. He noted that it is a good provision because it provides a lot of incentive to get the job done faster and to minimize the seriousness of the violations while they are working to provide optimum treatment. He related that the proposal is \$100/milligram, adding that the department does not go after a tenth of a milligram. He added that the City of Fairfield, most likely, does not like the uncertainty but it is a standard provision.

Terrance Townsend commented that the department corresponded with the City in 1996 because of ammonia problems, and then between June 96 and August 97 they were having the same problems but there was no correspondence sent from the department until an inspector was sent out. He asked whether staff waits until an inspector is sent out to correspond with the party.

Mr. Murphy stated that staff do not always look at the report for each month but if an inspection is going to be done a prior period of time is looked at.

Rita Venner asked if the City was to pay the \$5,000 penalty if they could they be put on a schedule stipulating that they must have specific things done at a certain time, giving them a little leeway.

Mr. Murphy stated that he certainly would not recommend it stressing that the referral is needed to get them into full compliance.

**Appointment - John Brown**

John Brown, City Administrator for Fairfield, stated that the City is serious about resolving this issue. He noted that they were doing a lot of changes in operations and it would sometimes throw ammonia levels high. He related that through experimentation, hard work on the part of the operator and diligence they were able to come into compliance in February and barely missed March. He added that the City was willing to pay the \$5,000 penalty and agreed that an established schedule should be set up, adding that the City Council was concerned about the period of uncertainty. He outlined what they are doing to get the problem corrected. Mr. Brown noted that it is the time frame of the automatic penalties that the city is concerned about.

Discussion followed regarding the time period to get everything done and why it will take so long, which would be the latter part of the year to get it designed, fabricated and installed. Following further discussion on the penalties, Terrance Townsend asked Mr. Brown if he would agree to stipulated penalties going into effect on April 1.

Mr. Brown replied that the City Council requested that the department consider April 1 as the starting date for the stipulated penalties and had agreed to pay the \$5,000.

Mr. Murphy stated that the department proposal was to start the stipulated penalties on January 1, and he still thinks the penalties should go back to January.

*Motion was made by Rozanne King to handle the case administratively with retroactive date to April 1, instead of January 1, for stipulated penalties of violations. Seconded by Rita Venner.*

Mr. Morrissey stated that after the City takes remedial action and has the suppliers and equipment in place the City will provide the Commission and department with reports, adding that at some point they will want to have an acceptable inspection of the facility.

Terrance Townsend mentioned that if the City receives the cost proposal the day after a City Council meeting they can hold an emergency meeting to get things moving sooner.

Chairman Ehm stated that he speaks for the whole Commission when he says that when next Fall rolls around if the City is still at the process of trying to get bids, the Commission is going to be very disappointed and will revisit the issue.

Mr. Morrissey stressed that by then they will have a new aeration system in operation.

*Vote on Commissioner King's motion carried unanimously.*

**NOT REFERRED - WILL HANDLE ADMINISTRATIVELY**

**PROPOSED RULE--CHAPTER 22-23, AIR QUALITY (NESHAPS) ACID RAIN EXEMPTIONS & PRIMARY ALUMINUM REDUCTION PLANTS**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The attached draft rule to amend Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards for Contaminants," is provided to the Commission for information only at this time. At their May 1998 meeting the Commission will be asked to approve a Notice of Intended Action to solicit public comment on the rules through normal rulemaking processes.

The purpose of this rule making is to adopt by reference new and revised acid rain exemptions and national emission standard for hazardous air pollutant (NESHAP) for primary aluminum reduction plants. It also re-establishes original compliance dates for submittal of the title V, voluntary, and small source operating permit applications. New unit and retired unit exemptions of the acid rain exemptions have been streamlined, making it easier for facilities to petition the Department for exemption. Industrial utility-unit exemption has been created because this type of unit will not be able to participate in allowance trading at the federal level. The NESHAP for primary aluminum reduction plants establishes standards for a variety of units within this type of facility.

**ENVIRONMENTAL PROTECTION COMMISSION [567]  
Notice of Intended Action**

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards for Contaminants," Iowa Administrative Code.

The purpose of this rule making is to adopt by reference the new and revised acid rain exemptions and the national emission standard for hazardous air pollutant (NESHAP) for primary aluminum reduction plants. It also re-establishes the original compliance dates for submittal of the title V, voluntary, and small source operating permit applications.

Item 1 corrects an internal citation.

Item 2 re-establishes the original compliance date for submittal of the title V operating permit application.

Item 3 rescinds the former acid rain new unit exemption and adopts by reference acid rain exemptions for new unit exemption, retired unit exemptions, and industrial utility-unit exemption. The revisions to the new unit and retired unit exemptions made the exemption process more automatic by making the exemption effective for the entire year in which the petition was submitted. The revisions also streamline the petition for exemption process by eliminating the requirement for public notification on the petition. The industrial utility-unit exemption is new. The U.S. Environmental Protection Agency had stated that no allowances would be allocated to industrial utility-units under Section 405 of the Clean Air Act of 1990.

Because of this they promulgated a limited exemption for industrial utility-units that served, any time starting in 1985, a generator that produced electricity for sale.

Item 4 rescinds the former acid rain retired unit exemption. The revised retired unit exemption was adopted by reference in Item 2.

Item 5 re-establishes the original compliance date for submittal of the voluntary operating permit application.

Item 6 revises language to exclude violations of the requirement to obtain a title V operating permit from the compliance certification for voluntary operating permits.

Item 7 re-establishes the original compliance date for submittal of the small source operating permit application.

Item 8 adds language for clarification.

Item 9 adopts the NESHAP for primary aluminum reduction plants by reference. This adoption establishes standards for each new or existing potline, paste production plant, and anode bake furnace associated with a primary aluminum reduction plant, and for each new pitch storage tank associated with a primary aluminum production plant.

Any person may make written suggestions or comments on the proposed rules on or before \_\_\_\_\_. Written comments should be directed to Scott Vander Hart, Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, Urbandale, Iowa 50322, fax (515) 242-5094, or by electronic mail to [svander@max.state.ia.us](mailto:svander@max.state.ia.us).

A public hearing will be held on \_\_\_\_\_ at \_\_\_\_\_ in \_\_\_\_\_, at which time comments may be submitted orally or in writing.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility should contact the Department of Natural Resources to advise the Department of any specific needs.

These amendments may impact small business.

These amendments are intended to implement Iowa Code section 455B.133.

The following amendments are proposed.

---

ITEM 1. Amend subparagraph 22.103(2) "a"(2) as follows:

(2) A storage tank which contains no volatile organic compounds above a vapor pressure of 0.75 pounds per square inch at the normal operating temperature of the tank when other

emissions from the tank do not exceed the levels in ~~paragraph 22.103(2)-“b.”~~ subparagraph 22.103(2) “a”(1).

ITEM 2. Amend paragraph 22.105(1) “a” as follows:

a. Timely application. Each source applying for a Title V permit shall submit an application:

(1) By November 15, 1994, if source was existing on or before April 20, 1994 for the first time submittals of Title V permit applications. However, a source may choose to defer submittal of Part 2 of the permit application until December 31, 1995. The department will mail notice of the deadline for Part 2 of the permit application to all applicants who have filed Part 1 of the application by October 17, 1995.

~~(2)(1)~~ At least 6 months but not more than 18 months prior to the date of permit expiration if the application is for a permit renewal.

~~(3)(2)~~ By January 1, 1996, (for sulfur dioxide) or by January 1, 1998, (for nitrogen oxides) if the application is for an initial Phase II acid rain permit.

~~(4)(3)~~ At least 6 months prior to any planned significant modification of a Title V permit. See rule 22.113(455B).

~~(5)(4)~~ Within 12 months of commencing operation for a source subject to 112(g) of the Act or subject to rule 22.4(455B) (prevention of significant deterioration permitting) or subject to rule 22.5(455B) (nonattainment area permitting). Where an existing Title V permit would prohibit such construction or change in operation, the source must obtain a Title V permit revision before commencing operation.

~~(6)(5)~~ Within 12 months of becoming subject to this rule for a new source or a source, which has become subject to the Title V permit requirement after April 20, 1994.

ITEM 3. Rescind rule 22.123(455B) and adopt the following in lieu thereof:

567—22.123(455B) Acid rain exemptions.

22.123(1) New unit exemption. The new unit exemption, as specified in 40 CFR §72.7, as amended through October 24, 1997, except for 40 CFR §72.7(c)(1)(i), is adopted by reference. This exemption applies to new utility units.

22.123(2) Retired unit exemption. The retired unit exemption, as specified in 40 CFR §72.8, as amended through October 24, 1997, is adopted by reference. This exemption applies to any affected unit that is permanently retired.

22.123(3) Industrial utility-unit exemption. The industrial utility-unit exemption, as specified in 40 CFR §72.14, as amended through October 24, 1997, is adopted by reference. This exemption applies to any non-cogeneration, utility unit.

ITEM 4. Rescind and reserve rule 22.124(455B).

ITEM 5. Amend subrule 22.203(1), paragraph “a,” as follows:

a. Timely application. Each source applying for a voluntary operating permit shall submit an application:

(1) By July 1, 1996, if the source is existing on or before July 1, 1995, unless otherwise required to obtain a Title V permit under rule 22.101(455B);

(2)(1) At least 6 months but not more than 12 months prior to the date of expiration if the application is for renewal;

(3)(2) Within 12 months of becoming subject to rule 22.101(455B)~~this rule~~ for a new source or a source which would otherwise become subject to the Title V permit requirement after July 1, 1995.

ITEM 6. Amend subparagraph 22.203(2) "e"(1), as follows:

(1) Certification of compliance for the prior year with all applicable requirements with an exception for violations of ~~subrules~~subrules 22.1(1) and 22.105(1);

ITEM 7. Amend subrule 22.300(8), paragraph "a," subparagraph (1) as follows:

(1) Timely registration. Each source registering for an operating permit by rule for small sources shall submit a registration form:

1. By August 1, 1996, if the source became subject to rule 22.101(455B) on or before August 1, 1995, unless otherwise required to obtain a Title V permit under rule 22.101(455B).

2. Within ~~within~~ 12 months of becoming subject to rule 22.101(455B) (the requirement to obtain a Title V permit) for a new source or a source which would otherwise become subject to the Title V permit requirement after August 1, 1995.

ITEM 8. Amend subrule 23.1(1), as follows:

23.1(1) In general. The federal standards of performance for new stationary sources (new source performance standards) shall be applicable as specified in subrule 23.1(2). The federal standards for hazardous air pollutants (national emission standards for hazardous air pollutants) shall be applicable as specified in subrule 23.1(3). The federal standards for hazardous air pollutants for source categories (national emission standards for hazardous air pollutants for source categories) shall be applicable as specified in subrule 23.1(4). The federal emission guidelines (emission guidelines) shall be applicable as specified in subrule 23.1(5). Compliance with emission standards specified elsewhere in this chapter shall be in accordance with 567—Chapter 21.

ITEM 9. Amend subrule 23.1(4), by adding the following new paragraph:

p. Emission standards for primary aluminum reduction plants. These standards apply to each new or existing potline, paste production plant, and anode bake furnace associated with a primary aluminum reduction plant, and for each new pitch storage tank associated with a primary aluminum production plant. (Subpart LL)

---

Date

---

Larry J. Wilson, Director

Mr. Stokes reviewed details of the rule noting that it adopts by reference new NESHAPS that deal with primary aluminum reduction plants. He related that next month he will discuss who in Iowa might be impacted by the rules and provide a more precise definition of primary aluminum reduction plant. The rule would also rescind a previously existing federal rule and replace an



adoption by reference rule that deals with acid rain exemptions. It also reinserts dates which were rescinded but should reflect as a bench mark in the rule.

<b>INFORMATIONAL ONLY</b>
---------------------------

## **PROPOSED RULE--CHAPTER 20, 22 AND 23, AIR QUALITY CASE-BY-CASE MACT**

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission is being provided the attached draft rule for information only at this time. At their May 1998 meeting the Commission will be asked to approve these rules for Emergency Adoption and Filing. At the same time the Commission will be asked to approve a Notice of Intended Action to solicit public comment on these rules through normal rulemaking processes. These rules amend Chapter 20, "Scope of Title—Definitions—Forms—Rules of Practice," Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards for Contaminants".

The purpose of this rule making is to implement Section 112(g) of the Clean Air Act of 1990 by June 29, 1998, as mandated by 40 Code of Federal Regulations Section 63.42. This section of the Act requires states to make case-by-case Maximum Available Control Technology (MACT) determinations with respect to construction or reconstruction of major sources of hazardous air pollutants (HAP), if no standard for the source category has been promulgated at the federal level.

### **ENVIRONMENTAL PROTECTION COMMISSION [567]**

#### **Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission proposes to amend Chapter 20, "Scope of Title—Definitions—Forms—Rules of Practice," Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards for Contaminants," Iowa Administrative Code.

The purpose of this rule making is to implement Section 112(g) of the Clean Air Act of 1990. This section of the Act requires the establishment of case-by-case maximum available control technology (MACT) standard determinations with respect to construction or reconstruction of major sources of hazardous air pollutants (HAP), if no such standard has been promulgated under 40 CFR Part 63.

These amendments are mandated by 40 CFR Section 63.42, which requires states to make any necessary additions and revisions to existing programs, procedures, and criteria to implement Section 112(g) of the Clean Air Act of 1990 by June 29, 1998.

In compliance with Iowa Code section 17A.4(2), the Commission finds that notice and public participation are impracticable because of the federal requirement to implement this program. The Commission also finds, pursuant to Iowa Code section 17A.5(2) "b"(1), that the normal effective date of the amendment should be waived and these amendments should be made effective upon filing with the Administrative Rules Coordinator on May 29, 1998, because of the limited amount of time to implement the federal requirements.

The amendment is also published herein under Notice of Intended Action as ARC \_\_\_\_ to allow public comment.

These amendments may impact small businesses.

These amendments are intended to implement Iowa Code section 455B.133.

---

ITEM 1. Amend rule 567—20.2(455B) by adding the following new definitions in alphabetical order:

"Maximum achievable control technology (MACT)" means the following regarding regulated hazardous air pollutant sources:

1. For existing sources, the emissions limitation reflecting the maximum degree of reduction in emissions that the administrator or the department, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable by sources in the category of stationary sources, that shall not be less stringent than the MACT floor.

2. For new sources, the emission limitation which is not less stringent than the emission limitation achieved in practice by the best-controlled similar source, and which reflects the maximum degree of reduction in emissions that the administrator or the department, taking into consideration the cost of achieving such emission reduction, and any nonair quality health and environmental impacts and energy requirements, determines is achievable by the affected source.

"Maximum Achievable Control Technology (MACT) floor" means the following:

1. For existing sources, the average emission limitation achieved by the best 12 percent of the existing sources in the United States (for which the administrator or the department has or could reasonably obtain emissions information), excluding those sources that have, within 18 months before the emission standard is proposed or within 30 months before such standard is promulgated, whichever is later, first achieved a level of emission rate or emission reduction which complies, or would comply if the source is not subject to such standard, with the lowest achievable emission rate applicable to the source category and prevailing at the time, for categories and subcategories of stationary sources with 30 or more sources in the category or subcategory, or the average emission limitation achieved by the best performing five sources in the United States (for which the administrator or the department has or could reasonably obtain emissions information), for a category or subcategory of stationary sources with fewer than 30 sources in the category or subcategory.

2. For new sources, the emission limitation achieved in practice by the best controlled similar source.

## ITEM 2. Amend subrule 22.1(1) as follows:

22.1(1) Permit required. Unless exempted in subrule 22.1(2), no person shall construct, install, reconstruct or alter any equipment, control equipment or anaerobic lagoon without first obtaining a construction permit, or conditional permit, or permit pursuant to 22.8(455B), or permits required pursuant to 22.4(455B) and 22.5(455B) as required in this subrule. A permit shall be obtained prior to the initiation of construction, installation or alteration of any portion of the stationary source or anaerobic lagoon. ~~Existing sources built prior to September 23, 1970, are not subject to this subrule, unless they have been modified, reconstructed, or altered on or after September 23, 1970.~~

a. Existing sources. Sources built prior to September 23, 1970 are not subject to this subrule, unless they have been modified, reconstructed, or altered on or after September 23, 1970.

b. New or reconstructed major sources of hazardous air pollutants. No person shall construct or reconstruct a major source of hazardous air pollutants, as defined in 40 CFR 63.41 as amended through December 27, 1996, unless a construction permit has been obtained from the department, which requires maximum achievable control technology for new sources to be applied. The permit shall be obtained prior to the initiation of construction or reconstruction of the major source.

ITEM 3. Amend paragraph 22.1(3) "b," by adding a **new** subparagraph:

(8) Application for a case-by-case MACT determination. If the source meets the definition of construction or reconstruction of a major source of hazardous air pollutants, as defined in paragraph 22.1(1)"d", then the owner or operator shall submit an application for a case-by-case MACT determination, as required in subparagraph 23.1(4)"b"(1), with the construction permit application. In addition to this paragraph, an application for a case-by-case MACT determination shall include the following information:

1. The hazardous air pollutants (HAP) emitted by the constructed or reconstructed major source, and the estimated emission rate for each HAP, to the extent this information is needed by the permitting authority to determine MACT;

2. Any federally enforceable emission limitations applicable to the constructed or reconstructed major source;

3. The maximum and expected utilization of capacity of the constructed or reconstructed major source, and the associated uncontrolled emission rates for that source, to the extent this information is needed by the permitting authority to determine MACT;

4. The controlled emissions for the constructed or reconstructed major source in tons/yr at expected and maximum utilization of capacity, to the extent this information is needed by the permitting authority to determine MACT;

5. A recommended emission limitation for the constructed or reconstructed major source consistent with the principles set forth in 40 CFR Part 63.43(d), as amended through December 27, 1996;

6. The selected control technology to meet the recommended MACT emission limitation, including technical information on the design, operation, size, estimated control efficiency of the control technology (and the manufacturer's name, address, telephone number, and relevant specifications and drawings, if requested by the permitting authority);

7. Supporting documentation including identification of alternative control technologies considered by the applicant to meet the emission limitation, and analysis of cost and non-air quality health environmental impacts or energy requirements for the selected control technology;

8. An identification of any listed source category or categories in which the major source is included.

ITEM 4. Amend subrule 23.1(4), introductory paragraph, as follows:

23.1(4) Emission standards for hazardous air pollutants for source categories. The federal standards for emissions of hazardous air pollutants for source categories, 40 Code of Federal Regulations Part 63 as amended through ~~June 24, 1996~~ August 11, 1997, are adopted by reference, except 40 CFR §§ 63.12, 63.14, 63.15, ~~63.40 through 63.44, 63.40(a), 63.42(a), (b), 63.43(c), (f)-(m), 63.50, 63.560 (b), (e)(2), (3), and 63.562 (c), (d),~~ and shall apply to the following affected facilities. The corresponding 40 CFR Part 63 subpart designation is in parentheses. Test methods (Appendix A), sources defined for early reduction provisions (Appendix B), and determination of the fraction biodegraded ( $F_{bio}$ ) in the biological treatment unit (Appendix C) of Part 63 also apply to the affected activities or facilities. For the purposes of this subrule "Hazardous air pollutant" has the same meaning found in 567--22.100(455B). For the purposes of this subrule a "major source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless a lesser quantity is established, or in the case of radionuclides, where different criteria are employed. For the purposes of this subrule an "area source" means any stationary source of hazardous air pollutants that is not a major stationary source as defined in this paragraph. Paragraph 23.1(4) "a," general provisions (Subpart A) of Part 63, shall apply to owners or operators who are subject to subsequent subparts of 40 CFR 63 (except when otherwise specified in a particular subpart or in a relevant standard) as adopted by reference below.

ITEM 5. Amend paragraph 23.1(4) "b," as follows:

b. Requirements for control technology determinations for major sources in accordance with Clean Air Act Sections 112(g) and 112(j). (Subpart B)

(1) Section 112(g) requirements. For the purposes of this subparagraph, the definitions shall be the same as the definitions found in 40 CFR 63.41, as amended through December 27, 1996. The owner or operator of a new or reconstructed major source of hazardous air pollutants must apply maximum achievable control technology (MACT) for new sources to the new or reconstructed major source. If the major source in question has been specifically regulated or exempted from regulation under a standard issued pursuant to section 112(d), section 112(h), or section 112(j) of the Clean Air Act and incorporated in another subpart of 40 CFR Part 63, or the owner or operator of such major source has received all necessary air quality permits for such construction or reconstruction project before June 29, 1998, then the major source in question is not subject to the requirements or this subparagraph. The owner or operator of an affected source shall apply for a construction permit as required in paragraph 567--22.1(1)"d". The

construction permit application shall contain an application for a case-by-case MACT determination for the major source.

(2) Section 112(j) requirements. The owner or operator of a new or existing major source of hazardous air pollutants which includes one or more stationary sources included in a source category or subcategory for which the U.S. Environmental Protection Agency has failed to promulgate an emission standard within 18 months of the deadline established under 112(d) must submit an application for a Title V permit or an application for a significant permit modification or for an administrative amendment, whichever is applicable. The application must be made in accordance with procedures established under Title V, by the section 112(j) deadline. In addition, the owner or operator of a new emission unit may submit an application for a Notice of MACT Approval before construction. (~~Subpart B~~)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry J. Wilson, Director

Mr. Stokes explained the rule noting that he will ask for emergency adoption next month and also to take it out for public comment. He expanded on the reasons for emergency adoption.

<b>INFORMATIONAL ONLY</b>
---------------------------

## **REFERRALS TO THE ATTORNEY GENERAL (CONTINUED)**

### **Tire-Tech Environmental Systems, Inc.**

Mr. Murphy briefed the Commission on this case involving solid waste violations consisting of lack of compliance with fire code provisions and the number of tires on hand.

<i>Motion was made by Terrance Townsend for referral to the Attorney General's Office. Seconded by Rozanne King. Motion carried unanimously.</i>
--

<b>REFERRED</b>
-----------------

### **Robert Jeff White**

Mr. Murphy briefed the Commission on this case involving an illegal dumping location where a lot of burning occurred. He noted that Mr. White phoned last Friday and said most of the problems were caused by his brother who was having difficulties at the time. Mr. Murphy noted that Mr. White is acknowledging responsibility but would like some time to do the clean up. Mr. Murphy related that he told Mr. White he would recommend referral but he would ask the Attorney General's Office to defer filing a lawsuit while the department monitors it. If it does

get cleaned up staff will try to resolve the penalty and if it doesn't get cleaned up we will ask the AG to proceed with court action.

*Motion was made by Gary Priebe for referral to the Attorney General's Office. Seconded by Charlotte Mohr. Motion carried unanimously.*

**REFERRED**

## LEGISLATION UPDATE

Don Paulin, Deputy Director, presented an update on the following bills of interest to the Commission.

- Cement Kiln Dust Exemption - passed and signed by the Governor
- Solid Waste Tonnage Fees Bill - passed House and came out of Senate Appropriation Committee with several changes and may be debated today. It would allow the local landfills to retain 25 cents the first year of the tonnage fee and 10 cents subsequent years for maximum of 35 cents. The money would all come out of the Landfill Alternatives Fund.
- Oil Filter Ban from Landfills - passed Senate; is on Unfinished Business in the House
- Biodegradable Soy Bean Oil/Hydraulic Fluids - signed by Governor
- D.M. Water Works Aquifer Storage - signed by Governor
- 2 UST Fund Bills - signed by Governor
- Dry Manure Bill - on it's way to Governor
- HF 2494 Livestock Bill - on it's way to Governor (Mr. Paulin expanded on details of the bill)
- Waste Tire Bill - passed House; came out of Senate Committee with amendment; will need to go back to House and Senate
- Environmental Audit Bill - signed by Governor

Director Wilson commented that the HF 2494 will cause the department serious problems without added staff.

Mr. Stokes noted that the bill requires the department to allow the county notice of the opportunity to go along on the site survey as well as on the routine inspection of facilities.

**INFORMATIONAL ONLY**

## GENERAL DISCUSSION

Director Wilson reported that several months ago he had a meeting in his office with some of the Clear Lake folks and they talked about providing some type of control or restriction over what chemicals could be applied. He noted that he ran across Iowa Code Chapter 200.22 pertaining to Local Legislation - Prohibition and thought it was interesting. He distributed copies of that chapter to the Commission relating that it deals with taking away from local government any

authority to try to control sale, distribution, storage, transportation, disposal, or formulation of a fertilizer or soil conditioner.

Charlotte Mohr asked how the tire processing is coming along in Jefferson. Rita Venner noted that they are working at it and some of the tires have been taken out.

Director Wilson stated that he will have Roya Stanley give an update next month on that project. Discussion took place about the tire pile found near Colfax.

Charlotte Mohr asked if Roya could also give an update on grants given through the years and how many of the projects have gone by the wayside.

Chairman Ehm reported that he sent a letter to Terry Schlutz after last month's meeting to address the concerns she expressed. He related that all Commissioners should have received a response from her.

#### **ADDRESS ITEMS FOR NEXT MEETING**

Director Wilson reminded the Commission that one item next month will be to elect officers.

#### **NEXT MEETING DATES**


May 18, 1998

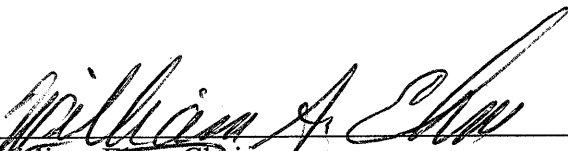
June 15, 1998


July 20, 1998

#### **ADJOURNMENT**

With no further business to come before the Environmental Protection Commission, Chairman Ehm adjourned the meeting at 2:35 p.m., Monday, April 20, 1998.

  
Larry J. Wilson, Director

  
William Ehm, Chair

  
Charlotte Mohr, Secretary

## INDEX

### A

Adjournment, 56  
 Adoption of Agenda, 1  
 Air Quality  
     (NESHAPS) Acid Rain Exemptions &  
     Primary Aluminum Reduction Plants--  
     Chapter 22-23  
         Proposed Rule, 46  
     Case-by-Case MACT--Chapter 20, 22  
     and 23  
         Proposed Rule, 50  
     Chapter 28, Revised NAAQS  
         Proposed Rule, 40  
 Appointment  
     Brown, John (City of Fairfield referral),  
     45  
     Morrissey, John (City of Fairfield  
     referral), 43  
 Approval of Minutes, 2

### B

Bluestem Solid Waste Agency  
     LAFA Contract, 7  
 Brown, John - Appointment (City of  
     Fairfield referral), 45

### C

Call to Order, 1  
 City of Fairfield  
     Referrals to the Attorney General, 43  
 Commissioners Absent, 1  
 Commissioners Present, 1  
 Contracts  
     Section 319 Nonpoint Source Pollution  
     Control Project  
         Farm Bureau Federation  
         Development, Implementtion and  
         Evaluation of and Iowa  
         Farm\*A\*Syst/Home\*A\*Syst  
         Program, 30

Creative Composting Concepts  
     LAFA Contract, 7

### D

Director's Report, 2

### F

Final Rule  
     Chapter 92, State Revolving Fund  
     (CWA), 31  
 Financial Status Report, 2

### I

Intended Use Plan (Drinking Water)  
     State Revolving Fund - 1997-98, 35  
 Iowa Farm Bureau Federation  
     Section 319 Nonpoint Source Project  
     Contract  
         Development, Implementation and  
         Evaluation of an Iowa  
         Farm\*A\*Syst/Home\*A\*Syst  
         Program (FAS/HAS), 30

### K

Kirkwood Community College  
     LAFA Contract, 7  
 Klosterbuer, James - Public Participation  
     (solid waste rules), 13

### L

Landfill Alternatives Financial Assistance  
     Program  
         Composting Initiative Contracts  
             Bluestem Solid Waste Agency, 7  
             Creative Composting Concepts, 7  
             Kirkwood Community College, 7  
             ProEarth Environmental, 7  
 Legislation  
     1998  
         Update, 55



## M

Monthly Reports, 13  
 Morris, Kathy - Public Participation (solid waste rules), 13  
 Morrissey, John - Appointment (City of Fairfield), 43

## N

Notice of Intended Action  
 Chapter 103, Solid Waste Rules, 36

## P

Petition for Rulemaking  
 Pocahontas County Board of Supervisors (water quality standards for wetlands), 36  
 Pocahontas County Board of Supervisors  
 Petition for Rulemaking (water quality standards for wetlands), 36  
 ProEarth Environmental  
 LAFA Contract, 7  
 Proposed Rule  
 Chapter 20, 22 and 23, Air Quality Case-by-Case MACT, 50  
 Chapter 22-23, Air Quality (NESHAPS) Acid Rain Exemptions & Primary Aluminum Reduction Plants, 46  
 Chapter 28, Air Quality - Revised NAAQS, 40  
 Public Participation, 12  
 Klosterbuer, James (solid waste rules), 13  
 Morris, Kathy (solid waste rules), 13  
 Woolums, Kathy (solid waste rules), 12

## R

Referrals to the Attorney General  
 City of Fairfield, 43  
 Tire-Tech Environmental Systems, Inc., 54  
 White, Robert Jeff, 54  
 Referrals to the Attorney General  
 (Continued), 54

## S

Section 319 Nonpoint Source Pollution Control Program  
 Presentation/Explanation of Program, 29  
 Section 319 Nonpoint Source Project Contract  
 Iowa Farm Bureau Federation  
 Development, Implementation and Evaluation of an Iowa Farm\*A\*Syst/Home\*A\*Syst Program (FAS/HAS), 30  
 Solid Waste Rules--Chapter 103  
 Notice of Intended Action, 36  
 State Revolving Fund - Intended Use Plan, 1997-98 (Drinking Water) 1997-98, 35  
 State Revolving Fund (CWA)--Chapter 92, Final Rule, 31

## T

Tire-Tech Environmental Systems, Inc.  
 Referrals to the Attorney General, 54

## W

White, Robert Jeff  
 Referrals to the Attorney General, 54  
 Woolums, Kathy - Public Participation (solid waste rules), 12